

# **SENIOR SOLUTIONS GUIDEBOOK**

**A helpful guidebook for seniors and their families to  
the resources available through the Town of Franklin**



**September 2017**

# Town of Franklin

Town Administrator  
Tel: (508) 520-4949



Fax: (508) 520-4903

355 East Central Street  
Franklin, Massachusetts 02038-1352

September 13, 2017

Dear Franklin Residents,


Welcome to the first edition of "Senior Solutions," a helpful guidebook to the programs and assistance that are available to seniors in Franklin. Included in this book are the programs that offer financial assistance to seniors and how to apply. If folks need assistance applying, they can always ask the staff at the Senior Center for assistance.


In addition to all these helpful programs, Franklin has a State of the Art [Senior Center](#) with a full service cafe for breakfast and lunch. Daily activities include an endless amount of quality programs such as computer, art and physical education classes, activities, medical services, veterans benefits assistance, an annual flu shot clinic and much more. There is something for everyone five days a week at the Franklin Senior Center.

Residents may also sign up for the Senior Center's monthly newsletter "The Franklin Connection" to stay informed. To sign up to receive the newsletter please visit our [Subscription sign up site](#) or visit the Senior Center on [Twitter](#) and [Facebook](#) to stay in touch with the events and activities at the Senior Center.

We hope this is a helpful resource for both seniors, veterans and their families to understand and access resources available through our Senior Center. As always, if anyone has questions, please call the Franklin Senior Center at 508-520-4945.

Regards,

  
Jeffrey D. Nutting  
Town Administrator

  
Jamie Hellen  
Deputy Town Administrator

  
Karen Alves  
Senior Center Director



# FRANKLIN COUNCIL ON AGING

10 Daniel McCahill Street

Franklin, Massachusetts 02038-1878

## PROPERTY TAX RELIEF FOR ELDERS, VETERANS

### & LEGALLY BLIND INDIVIDUALS, 2017

- I. CIRCUIT BREAKER TAX CREDIT
- II. EXEMPTIONS
  - A) SENIORS
  - B) LEGALLY BLIND PERSONS
  - C) VETERANS
  - D) SENIOR SURVIVING SPOUSES & MINOR CHILDREN (of deceased parent)
- III. DEFERRALS
  - A) SENIORS, 65 & OLDER
  - B) FINANCIAL HARDSHIP
- IV. ABATEMENT
  - A) REAL PROPERTY TAX
  - B) PERSONAL PROPERTY TAX
- V. TAX WORK OFF PROGRAM
- VI. TAX TIPS FOR SENIORS & RETIREES
- VII. FURTHER ASSISTANCE



# **CIRCUIT BREAKER TAX CREDIT**



# Senior "Circuit Breaker" Tax Credit

## What is it?

Senior citizens in Massachusetts may be eligible to claim a refundable credit on their state income taxes for the real estate taxes paid on the Massachusetts residential property they own or rent and which they occupy as their principal residence. The maximum credit allowed is \$1,070 for the tax year beginning January 1, 2016. If the credit due the taxpayer exceeds the amount of the total income tax payable for the year, the excess amount of the credit will be refunded to the taxpayer without interest.

Eligible taxpayers who own their property may claim a credit equal to the amount by which their property tax payments in the current tax year (excluding any exemptions and/or abatements), including water and sewer debt charges, exceed 10% of their "total income" for the same current tax year. Taxpayers residing in communities that do not include water and sewer debt service in their property tax assessments may claim, in addition to their property tax payments, 50% of the water and sewer charges actually paid during the tax year when figuring their credit.

For renters, the law assumes that 25% of their rent goes toward property tax. Accordingly, renters may claim a credit in the amount by which 25% of their annual rental payment is more than 10% of their total income.

For purposes of the tax credit, a taxpayer's "total income" includes taxable income as well as exempt income such as social security, treasury bills and public pensions.

## Who is eligible for the credit?

To be eligible for the credit for the 2016 tax year, a taxpayer must be 65 years of age or older before January 1, 2017 (for joint filers, it is sufficient if one taxpayer is 65 years of age or older), must own or rent residential property in Massachusetts and occupy the property as his or her principal residence. The taxpayer's total income cannot exceed \$57,000 for a single filer who is not the head of a household, \$71,000 for a head of household, or \$86,000 for taxpayers filing jointly. No credit is allowed for a married taxpayer unless a joint return is filed. Moreover, the assessed valuation of the real estate cannot exceed \$720,000.

No credit is allowed if the taxpayer claims the "married filing separate" status, receives a federal or state rent subsidy, rents from a tax-exempt entity, or is the dependent of another taxpayer.

## Is the tax credit considered income?

Tax credits received by eligible taxpayers are not considered income for the purpose of obtaining eligibility or benefits under other means-tested assistance programs including food, medical, housing, energy and educational assistance programs.

## How does a taxpayer claim the credit?

Taxpayers who are eligible for the tax credit in the 2016 tax year can claim the credit by submitting a completed Schedule CB, Circuit Breaker Credit, with their 2016 state income tax return.

**Note:** Taxpayers who qualified for the tax credit in a prior year but did not file Schedule CB online with their original state income tax return should file an amended return by filling in the "Amended return" oval on their state income tax return. Also, taxpayers who qualified for the tax credit in a prior year and did not file a tax return should file a state income tax return with Schedule CB. Either option must be completed within three years from the last day for filing the return, without regard to any extension of time to file.

## What if the taxpayer is not required to file a state income tax return?

An eligible taxpayer who does not normally file a state income tax return may obtain a refund by filing a return with Schedule CB, Circuit Breaker Credit.

## What documentation must the taxpayer keep?

As with all claimed tax credits and deductions, the taxpayer must keep all pertinent records, receipts and other documentation supporting his or her claim for the credit.

**Schedule CB and further information is available at [www.mass.gov/dor](http://www.mass.gov/dor) or by contacting the Massachusetts Department of Revenue's Customer Service Bureau at (617) 887-6367 or toll-free in Massachusetts at 800-392-6089.**



Department of Revenue  
Commonwealth of Massachusetts



The Official Website of the Department of Revenue (DOR)

## Department of Revenue

About DOR

[Home](#) · [Businesses](#) · [Help & Resources](#) · [Legal Library](#) · [Technical Information Releases](#) · [TIR 16-8: Annual Update Circuit Breaker](#)

# TIR 16-8: Annual Update of Real Estate Tax Credit for Certain Persons Age 65 and Older

## I. Introduction

For tax years beginning on or after January 1, 2001, an owner or renter of a principal residence located in Massachusetts who is age 65 or older at the close of the taxable year may be eligible to claim a refundable credit against personal income taxes. Known as the "circuit breaker credit," this credit is based upon the actual real estate taxes or rent paid by a taxpayer eligible to claim the credit. See G.L. c. 62, § 6(k), added by sections 80 and 81 of chapter 127 of the Acts of 1999. This Technical Information Release ("TIR") updates TIR 01-19, "Real Estate Tax Credit for Certain Persons Age 65 and Older," by providing the income and assessed valuation threshold amounts and the maximum credit amount for tax year 2016.

## II. 2016 Income Threshold Amounts for Renters and Homeowners

A Massachusetts taxpayer age 65 or older that owns or rents his or her principal residence may qualify for the circuit breaker credit if he or she meets the eligibility requirements as stated in TIR 01-19.

Under G.L. c. 62, § 6(k)(4), for purposes of calculating the circuit breaker credit, total income and maximum credit thresholds are adjusted annually to reflect inflation for the calendar year in which the taxable year begins.

For tax year 2016, the taxpayer's "total income" cannot exceed \$57,000 for a single individual who is not the head of a household, \$71,000 for a head of household, and \$86,000 for married couples filing a joint return.

## III. 2016 Assessed Valuation Threshold Amount for Homeowners

For tax year 2016, the assessed valuation, before the residential exemptions but after abatements, of the homeowner's principal residence may not exceed \$720,000. If the taxpayer owns more than one acre of land, only the assessed value of the principal residence, together with the land that immediately surrounds and is associated with that residence, not to exceed one acre, should be used in determining the eligibility of the taxpayer for the credit.

The Department annually adjusts the assessed value threshold limit by using a cost-of-housing adjustment that reflects the change in the average assessed value of single family homes in Massachusetts from the previous calendar year.

## IV. Calculation of the Credit Available in 2016

### A. Renters

In the case of a taxpayer who rents his or her principal residence, the credit is equal to the amount by which 25% of the rent actually paid by the taxpayer during the taxable year for the occupancy of the principal residence exceeds 10% of the taxpayer's total income for the taxable year, provided that such amount does not exceed the maximum credit amount. For tax year 2016, the maximum credit amount is \$1,070.

### B. Homeowners

In the case of a taxpayer who owns his or her principal residence, the credit is equal to the amount by which the taxpayer's property tax payments in the current tax year, including water and sewer use charges paid to a municipality, but excluding any abatement or exemption granted, exceeds 10% of the taxpayer's total income, for the taxable year, provided that such amount does not exceed the maximum credit amount. For tax year 2016, the maximum credit amount is \$1,070.

/s/Michael J. Heffernan

Michael J. Heffernan  
Commissioner of Revenue

MJH:RHF:jet

October 4, 2016

TIR 16-8



## Senior Circuit Breaker Credit

Put up to \$1,070 in YOUR pocket!

### You may Qualify if you:

- ☒ Are 65 or older on or before December 31, 2016
- ☒ Own or rent in Massachusetts as principal residence

### Your total income does not exceed:

- |  |          |
|--|----------|
| <input checked="" type="checkbox"/> Single               | \$57,000 |
| <input checked="" type="checkbox"/> Married filing joint | \$86,000 |
| <input checked="" type="checkbox"/> Head of household    | \$71,000 |

- |   |           |
|---|-----------|
| <input checked="" type="checkbox"/> Your assessed real estate valuation does not exceed | \$720,000 |
|---|-----------|

### How do I apply?

To claim the Circuit Breaker Credit, you must file a Massachusetts state income tax return, even if you typically don't file a return— *and*—include Schedule CB, the Circuit Breaker Credit form. You can file your tax return for FREE using one of our [free filing options](http://mass.gov/mafreefile) at [mass.gov/mafreefile](http://mass.gov/mafreefile). Or, you may download [forms](http://mass.gov/dor/forms) to be filled out at [mass.gov/dor/forms](http://mass.gov/dor/forms).

### Where can I get help for FREE to prepare my tax return and Schedule CB?

If you need help, VITA (Volunteer Income Tax Assistance) helps low income and middle income people fill out tax returns for free. Call them at 1-800-906-9887. There are other options including AARP's Tax-Aide program and you can reach them at 1-888-227-7669. For more options check out the seniors webpage below.



For information check out [mass.gov/dor/seniors](http://mass.gov/dor/seniors)

Massachusetts Department of Revenue

## SENIOR CIRCUIT BREAKER WORKSHEET

(To help determine eligibility only. This is NOT an official tax document.)

### For Home Owners

Your property tax: (a) \$ \_\_\_\_\_

(plus) 50% of

water/sewer bill (b) \$ \_\_\_\_\_

= (c) \$ \_\_\_\_\_

Total annual income (d) \$ \_\_\_\_\_

(Includes all income exempt from state income tax, i.e., Social Security,  
state/municipal pensions)

\_\_\_\_\_ (times) x .10

= (e) \$ \_\_\_\_\_

To calculate total possible credit (f):

Line (c) \$ \_\_\_\_\_

(minus) Line (e) \$ \_\_\_\_\_

= (f) \$ \_\_\_\_\_

### FOR RENTERS

Your annual rent (a) \$ \_\_\_\_\_

\_\_\_\_\_ (times) x .25

= (b) \$ \_\_\_\_\_

Your annual income (c) \$ \_\_\_\_\_

\_\_\_\_\_ (times) x .10

= (d) \$ \_\_\_\_\_

To calculate total possible credit (e):

Line (b) \$ \_\_\_\_\_

Minus Line (d) \$ \_\_\_\_\_

= (e) \$ \_\_\_\_\_



FIRST NAME

M.I.

LAST NAME

SOCIAL SECURITY NUMBER

You, or your spouse if married filing jointly, must be at least 65 years of age before January 1, 2017 to qualify for this credit. Also, you must file as single, married filing jointly or head of household to qualify for this credit. If married filing separately, you do not qualify for this credit.

# **Schedule CB** Circuit Breaker Credit. Enclose with Form 1 or Form 1-NR/PY. Do not cut or separate these schedules.

**2016**

ADDRESS OF PRINCIPAL RESIDENCE IN MASSACHUSETTS (DO NOT ENTER PO BOX)

CITY/TOWN/POST OFFICE/FOREIGN COUNTRY

STATE

ZIP + 4

- 1** Living quarters status during 2016: ☐ Homeowner. Multi-use or multi-family property (see instructions) ☐ Yes ☐ No  
**Note:** If you moved during the year, see reverse. ☐ Renter (if you received any federal and/or state rent subsidy, or you rent from a tax-exempt entity, you do not qualify for the Circuit Breaker Credit; see instructions)

- 2** Homeowners only, enter assessed value of principal residence as of January 1, 2016. If over \$720,000, you do not qualify for this credit. See instructions ..... **2** **0 0**

**INCOME CALCULATION**

- 3** Massachusetts adjusted gross income (from line 20 of Schedule CB, line 3 worksheet on reverse) ..... **3** **0 0**
- 4** Total Social Security benefits (see instructions) ..... **4** **0 0**
- 5** Pensions/annuities/IRA/Keogh distributions not taxed on your Massachusetts tax return ..... **5** **0 0**
- 6** Miscellaneous income, including cash public assistance ..... **6** **0 0**
- 7** Massachusetts total income. Add lines 3 through 6 ..... **7** **0 0**
- 8** Exemptions from income (from Form 1, lines 2b through 2d or Form 1-NR/PY, lines 4b through 4d) ..... **8** **0 0**
- 9** Qualifying income. Subtract line 8 from line 7 ..... **9** **0 0**  
 You do **not** qualify for the Circuit Breaker Credit if you are filing as "Single," and line 9 is greater than \$57,000; or you are filing as "Head of household," and line 9 is greater than \$71,000; or you are filing as "Married filing jointly," and line 9 is greater than \$86,000.

**CREDIT CALCULATION.** If you filled in "Homeowner" in line 1, complete lines 10-17; if "Renter," skip to line 18.

- 10** Real estate taxes paid in calendar year 2016 for your principal residence (see instructions) ..... **10** **0 0**
- 11** Adjustments to real estate taxes (from line 4 of Schedule CB, line 11 worksheet on reverse) ..... **11** **0 0**
- 12** Subtract line 11 from line 10 ..... **12** **0 0**
- 13** Enter 50% (.50) of water and sewer use charges paid in 2016 ..... **13** **0 0**
- 14** Add lines 12 and 13 ..... **14** **0 0**
- 15** Income threshold. Multiply line 9 by 10% (.10) ..... **15** **0 0**
- 16** Subtract line 15 from line 14. If line 15 is equal to or greater than line 14, you do not qualify for this credit .... **16** **0 0**
- 17** Enter the lesser of line 16 or \$1,070 here and on Form 1, line 42 or Form 1-NR/PY, line 46. .... **17** **0 0**
- 18** Enter total amount of rent paid for your principal residence in 2016 : a. **0 0** ÷ 4 = ..... **18** **0 0**  
 Landlord's name and address .....
- 19** Income threshold. Multiply line 9 by 10% (.10) ..... **19** **0 0**
- 20** Subtract line 19 from line 18. If line 19 is equal to or greater than line 18, you do not qualify for this credit .... **20** **0 0**
- 21** Enter the lesser of line 20 or \$1,070 here and on Form 1, line 42 or Form 1-NR/PY, line 46. .... **21** **0 0**



# Schedule CB Worksheets

## Schedule CB, Line 3 — Massachusetts Income Worksheet

**Part 1. Complete only if you only have 5.1% income reported on Form 1, line 10 or Form 1-NR/PY, line 12 or partnership, trust or S corporation income not reported on Form 1 or Form 1-NR/PY. Otherwise, enter "0" on line 6 and go to Part 2.**

1. Enter your total 5.1% income from Form 1, line 10 or Form 1-NR/PY, line 12. Not less than "0" \_\_\_\_\_
2. Enter the total of Schedule Y, lines 1 through 10. \_\_\_\_\_
3. Subtract line 2 from line 1. Not less than "0" \_\_\_\_\_
4. Enter total Massachusetts bank interest or the interest exemption amount, whichever is smaller, from Form 1, line 5a or line 5b or Form 1-NR/PY, line 7a or line 7b \_\_\_\_\_
5. Enter any income from a partnership, trust or S corporation not reported on Form 1 or Form 1-NR/PY \_\_\_\_\_

**Note:** If Form 1, line 10 or Form 1-NR/PY, line 12 is a loss, do not complete line 4 above. Instead, combine Form 1, line 10 or Form 1-NR/PY, line 12 with the smaller amount of total Massachusetts bank interest or the interest exemption amount. Enter the result in line 4 above, unless the result is a loss. If the result is a loss, enter "0."

6. Add lines 3 through 5 \_\_\_\_\_

**Part 2. Complete only if you have interest income (including tax-exempt interest) other than from Massachusetts banks, dividend income, short-term capital gains, long-term gains on collectibles and installment sales. Otherwise, enter "0" on line 11 and go to Part 3.**

7. Enter the amount from Schedule B, line 9. If there is no entry in Schedule B, line 9, enter the amount from Form 1, line 20 or Form 1-NR/PY, line 24. \_\_\_\_\_
8. Enter the amount from Schedule B, line 6. \_\_\_\_\_
9. Add lines 7 and 8. \_\_\_\_\_
10. Enter the amount from Schedule B, line 15. \_\_\_\_\_
11. Add lines 9 and 10. \_\_\_\_\_

**Note:** If you moved during the year you may have to complete separate computations for each residence that would qualify for the credit. On Schedule CB you should complete separate computations for each residence for lines 10 through 14 and/or line 18. The income threshold (line 15 or 19) should be subtracted from the total of these computations to determine if you qualify for the credit.

**Part 3. Complete only if you have long-term capital gains or capital gain distributions. Otherwise, enter "0" on line 18 and go to Part 4.**

12. Enter any gains (not including any losses) included in U.S. Schedule D, lines 8a and 8b, col. h \_\_\_\_\_
13. Enter any gains (not including any losses) included in U.S. Schedule D, line 9, col. h \_\_\_\_\_
14. Enter any gains (not including any losses) included in U.S. Schedule D, line 10, col. h \_\_\_\_\_
15. Enter any gains (not including any losses) included in U.S. Schedule D, line 11, col. h \_\_\_\_\_
16. Enter any gains (not including any losses) included in U.S. Schedule D, line 12, col. h \_\_\_\_\_
17. Enter any gains included in U.S. Schedule D, line 13, col. h. If U.S. Schedule D not filed, enter the amount from U.S. Form 1040, line 13 or 1040A, line 10 \_\_\_\_\_
18. Add lines 12 through 17 \_\_\_\_\_

## Part 4. Massachusetts adjusted gross income.

19. Part-year residents, enter any income earned while a nonresident not included in lines 1 through 18 above. Not less than "0" \_\_\_\_\_
20. Add lines 6, 11, 18 and 19. Enter the result here and on Schedule CB, line 3 \_\_\_\_\_

\* Add back any Abandoned Building Renovation deduction claimed on Schedule(s) C and/or E.

## Schedule CB, Line 11 — Adjustments to Real Estate Taxes Paid Worksheet

1. Enter the amount of any real estate tax abatement, including senior work program, or exemption received in 2016. Do not exclude amounts if they were already reflected on your tax bill and you did not pay them \_\_\_\_\_
2. Enter any interest amount paid due to late real estate tax payments in 2016 \_\_\_\_\_
3. Enter the amount of any betterment or special assessment paid in 2016. \_\_\_\_\_
4. Add lines 1 through 3. Enter result here and on Schedule CB, line 11 \_\_\_\_\_

**SENIORS, 65 & OLDER  
PROPERTY TAX EXEMPTIONS**



# TAXPAYER'S GUIDE TO LOCAL PROPERTY TAX EXEMPTIONS

## SENIORS

### Clauses 41, 41B, 41C, 41C½

The Department of Revenue (DOR) has created this fact sheet to provide general information about local property tax exemptions for seniors. **It is not designed to address all questions or issues and does not change any provision of the Massachusetts General Laws. To find out about the specific eligibility and application requirements in your city or town, you must contact your local board of assessors.** The DOR cannot determine your eligibility or give you legal advice. Property taxes are assessed and collected by cities and towns, not by the DOR. Under state law, only your board of assessors, as the local tax administrator, can decide whether you qualify for an exemption. If you disagree with its decision, you may appeal to the state Appellate Tax Board (or county commissioners if your county's government has not been abolished).

### INTRODUCTION

Cities and towns may give property tax exemptions to some individuals as defined by state law. An exemption discharges a taxpayer from the legal obligation to pay all or a part of the tax assessed for the fiscal year. Exemptions are found in various clauses of Massachusetts General Laws Chapter 59, Section 5 (M.G.L. c. 59, § 5).

Clauses 41, 41B, 41C or 41C½ provide exemptions to seniors who meet specific ownership, residency, income and asset requirements. Seniors 70 or older may, alternatively, qualify for exemption under Clauses 17, 17C, 17C½ or 17D, which provide a reduced benefit, but have less strict eligibility requirements. Clause 41 is the basic exemption for seniors. Over the years, as income and asset values rose, the Legislature enacted alternative exemptions (Clauses 41B, 41C and 41C½), and options within those exemptions, that cities and towns may adopt.

Clause 41 applies unless the legislative body of your city or town has voted, subject to local charter, to accept another clause. The most recently accepted clause establishes eligibility rules in your city or town.

<b>EXEMPTION AMOUNT</b>	Clauses 41, 41B, 41C	\$500
	Clause 41C½	5% of the average assessed valuation of residential property in your city or town.
	The Clause 41C exemption may be increased up to \$1,000, by vote of the legislative body of your city or town.	
	The Clause 41C½ exemption may be increased up to 20% of the average assessed valuation of residential property in your city or town, by vote of the legislative body of your city or town.	

**For more information, please contact your local assessors.**

<b>APPLICATIONS</b>	You must file an application for each fiscal year with the assessors in the city or town where your property is located. The application is due on April 1, or three months after the actual tax bills are mailed, whichever is later. <b><i>Filing on time is required. By law, the assessors may not waive this filing deadline, nor act on a late application, for any reason.</i></b> Filing an application does not entitle you to delay your tax payment.
<b>DOCUMENTATION</b>	You must provide the assessors with whatever information is reasonably required to establish your eligibility. This information may include, but is not limited to: <ol style="list-style-type: none"> <li>1. Birth certificates.</li> <li>2. Evidence of ownership, domicile and occupancy.</li> <li>3. Income tax returns, bank and other asset account statements.</li> </ol>
<b>NUMBER OF EXEMPTIONS</b>	With limited exceptions, you may only receive one exemption under M.G.L. c. 59, § 5 for each fiscal year. If you qualify for more than one, you will receive the one that provides the greatest benefit. You may receive an exemption and if qualified, defer all or a part of the balance of the reduced tax.
<b>ELIGIBILITY REQUIREMENTS</b>	You must satisfy tests relating to age, domicile, ownership, occupancy, annual income and assets. <b>You must meet all eligibility requirements as of July 1 of the tax year.</b> ( <i>The fiscal year of cities and towns begins July 1 and ends the following June 30.</i> ) <b>If you do not meet all requirements as of July 1, you cannot receive all or any portion of the exemption for that tax year.</b>  If you own the property with someone who is not your spouse, for example, your children, siblings or other relatives, then each of the other co-owners must also satisfy the annual income and asset tests.
<b>AGE</b>	You must be 70 or older.  For Clauses 41C and 41C½, the eligible age may be reduced to 65 or older, by vote of the legislative body of your city or town.

<b>OWNERSHIP AND DOMICILE</b>	<p>You must own and occupy the property as your domicile. Your domicile is where your principal and legal home is located, your family, social, civic and economic life is centered and you plan to return whenever you are away. You may have more than one residence, but only one domicile.</p> <p>For Clauses 41B, 41C and 41C½, you must also have had a domicile in Massachusetts for 10 consecutive years before the tax year begins, and have owned and occupied the property, or any other property in Massachusetts, for any 5 years. The 10 year continuous domicile requirement for Clause 41C½ may be reduced to 5 years, by vote of the legislative body of your city or town.</p> <ol style="list-style-type: none"> <li>1. Under Clauses 41, 41B and 41C, your ownership interest must be worth at least \$4,000. You may own this interest solely, as a joint owner or as a tenant in common. If you own the property with someone who is not your spouse, your exemption will be equal to the same percentage of the exemption as your ownership interest in the property, for example, 50% if you are a joint owner with one other person.</li> <li>2. If you hold a life estate in the domicile, you are the owner.</li> <li>3. If your domicile is held in a trust, you are the owner only if: <ol style="list-style-type: none"> <li>a. You are a trustee or co-trustee of that trust, <b>and</b></li> <li>b. You have a sufficient beneficial interest in the domicile.</li> </ol> </li> </ol>
<b>INCOME LIMITS</b>	<p>Your income (gross receipts) for the previous calendar year cannot exceed a specified limit. Each clause has a different limit.</p> <p><b>Gross receipts means income from <u>all</u> sources and is broader than taxable income for federal or state income tax purposes.</b> Ordinary business expenses and losses are deducted but not personal or family expenses. If you received income from social security or certain public pensions systems in the prior calendar year, the assessors will deduct a "minimum social security" allowance, which is set by the DOR each year.</p> <p>If you are single, your allowable gross receipts can range from \$6,000 (Clause 41) to the limit for the "circuit breaker" state income tax credit for single non-head of household filers (Clause 41C½). If you are married, the limit is based on the combined gross receipts of you and your spouse and ranges from \$7,000 (Clause 41) to the limit for the "circuit breaker" state income tax credit for single non-head of household filers (Clause 41C½).</p> <p>For Clauses 41, 41B and 41C, the gross receipts limit may increase annually by the percentage increase in the Consumer Price Index (CPI) determined by the DOR each year. For Clause 41C½, the gross receipts limit may be applied to the combined income of you and your spouse or other household members. These adjustments apply only if the legislative body of your city or town has voted, subject to local charter, to accept the local option.</p>



<b>ASSET LIMITS</b>	<p>Your assets (whole estate) on July 1 cannot exceed a specified limit. Each clause has a different limit.</p> <p><b>Whole estate means <u>all</u> assets to which you have legal title and access as sole, joint owner or trustee that contribute to your total worth.</b> The value of the applicant's cemetery plots, registered motor vehicles, wearing apparel and household furniture and effects located in the domicile is not included in the calculation of the applicant's whole estate. In addition, the value of the domicile is generally not included, but depending on the clause, portions generating income or over a certain number of units may be included.</p> <p>If you are single, your allowable whole estate can range from \$17,000 (Clause 41) to \$40,000 (Clause 41C). If you are married, the limit is based on the combined whole estates of you and your spouse and ranges from \$20,000 (Clause 41) to \$55,000 (Clause 41C). There is no asset limit under Clause 41C½.</p> <p>For Clauses 41, 41B and 41C, the whole estate limit may increase annually by the percentage increase in the CPI determined by the DOR each year. This increase applies only if the legislative body of your city or town has voted, subject to local charter, to accept this local option.</p>
<b>EXEMPTION CREDIT</b>	<p>If the assessors decide you are eligible and grant an exemption, the amount granted is credited toward and reduces the tax outstanding on your domicile for the fiscal year. <b>You will not receive a refund unless you have already paid the entire year's tax, as reduced by the exemption, at the time the exemption is granted.</b></p>
<b>SALE OF DOMICILE</b>	<p>If you are selling your domicile, you should make your attorney aware that you receive a property tax exemption that reduces the tax owed for the fiscal year. The sale is a private financial transaction and as a party, <b>you are responsible for seeing that the exemption is properly credited at the closing, through escrow or other arrangements, when the parties make adjustments for local property taxes or charges.</b> Your city or town is not responsible for seeing that you and the buyer allocate the property taxes so you get the benefit of the exemption.</p>

APPEALS	
Appellate Tax Board	<p>The Appellate Tax Board (ATB) is an independent, quasi-judicial state board that hears taxpayer appeals from local assessors' decisions on property tax abatements and exemptions. If county government has not been abolished, appeals may be made to the county commissioners instead, but assessors may and usually do transfer those appeals to the ATB. ATB decisions may be appealed to the Appeals Court and, ultimately, to the Supreme Judicial Court.</p> <p>You can obtain the ATB's <u>guide</u> to the property tax appeal process from its website (<a href="http://www.mass.gov/atb">www.mass.gov/atb</a>) or by calling 617-727-3100.</p>
Appeal of Action of Assessors	<p>You have three months from the date of the assessors' decision on your exemption application to appeal to the ATB. <b>This includes decisions to deny any exemption or to grant an exemption that provides a lesser benefit.</b> If the application was deemed denied, your appeal must be filed within three months of the deemed denied date. As a general rule, if the real estate tax on your domicile is over \$5,000, you must also have paid all preliminary and actual tax installments on time for the ATB to hear your appeal.</p> <p>The assessors may grant the exemption or higher exemption in final settlement of your application during the three month period for filing an appeal. In that case, you do not have to have filed an appeal with the ATB. However, if a settlement is not reached and an exemption not granted during that period, you must have filed your appeal by the deadline. If not, the ATB cannot hear the appeal.</p>

ASSESSMENT AND EXEMPTION CALENDAR	
January 1	Property Tax Assessment Date for Next Fiscal Year
July 1	Fiscal Year Begins Real Estate Exemption Eligibility Date for Fiscal Year
October - December	Actual Tax Bills Mailed for Fiscal Year
November 1 (Semi-annual Payment Communities) February 1 (Quarterly Payment Communities)	1 <sup>st</sup> Actual Tax Installment Payment Due <sup>1</sup>

<sup>1</sup> Contact your assessors. The due date depends on the payment system used in your community and the date actual tax bills were mailed for fiscal year.

<b>April 1, or 3 Calendar Months from Mailing of Actual Tax Bill if later</b>	Personal Exemption Applications to Assessors Due <sup>2</sup>
<b>3 Calendar Months from Filing of Application (or Date of Written Extension Given by Taxpayer)</b>	Assessors Grant or Deny Exemption Application Deemed Denied if Assessors Have Not Acted
<b>3 Calendar Months from Assessors' Action on Application, or Deemed Denial of Application</b>	Appeal to ATB Due

<sup>2</sup> Some assessors may accept applications before actual tax bills are mailed. If not, or your application is not approved, you must apply by this deadline to claim the exemption.

17	41
Assessors' Use only	
Date Received	
Application No.	
Parcel Id.	

\_\_\_\_\_  
Name of City or Town

**SENIOR**  
**FISCAL YEAR \_\_\_\_\_ APPLICATION FOR STATUTORY EXEMPTION**  
**General Laws Chapter 59, § 5**

THIS APPLICATION IS NOT OPEN TO PUBLIC INSPECTION  
(See General Laws Chapter 59, § 60)

**Return to: Board of Assessors**

Must be filed with assessors on or before April 1, or 3 months after actual (**not** preliminary) tax bills are mailed for fiscal year if later.

**INSTRUCTIONS:** Complete the following. Please print or type.

**A. IDENTIFICATION.** Complete this section fully.

Name of Applicant _____	
Telephone Number _____	Marital Status _____
Legal Residence (Domicile) on July 1, _____	Mailing Address (If different) _____
No. Street City/Town Zip Code	
Location of Property: _____	No. of Dwelling Units: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other _____
Did you own the property on July 1, _____? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, were you: Sole Owner <input type="checkbox"/> Co-owner with Spouse Only <input type="checkbox"/> Co-owner with Others <input type="checkbox"/>	
Was the property subject to a trust as of July 1, _____? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, please attach trust instrument including all schedules.	
Have you been granted any exemption in any other city or town (MA or other) for this year? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, name of city or town _____ Amount exempted \$ _____	

**DISPOSITION OF APPLICATION (ASSESSORS' USE ONLY)**

Ownership <input type="checkbox"/>	GRANTED <input type="checkbox"/>	Assessed Tax \$ _____
Occupancy <input type="checkbox"/>	DENIED <input type="checkbox"/>	Exempted Tax \$ _____
Status <input type="checkbox"/>	DEEMED DENIED <input type="checkbox"/>	Adjusted Tax \$ _____
Income <input type="checkbox"/>		
Assets <input type="checkbox"/>		
Board of Assessors		
Date Voted/Deemed Denied _____		
Certificate No. _____		
Date Cert./Notice Sent _____		
Exemption: Clause _____	Date: _____	

FILING THIS FORM DOES NOT STAY THE COLLECTION OF YOUR TAXES

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

**B. EXEMPTION STATUS.** Complete the questions that follow.

☐ **SENIOR 70 OR OLDER (65 or older by local option- See Assessors)** Date of Birth \_\_\_\_\_  
*If first year of application, attach copy of birth certificate.*

Have you owned and occupied the property as your domicile for at least 11 years? Yes ☐ No ☐

*(6 years if local option under Clause 41C½ adopted - See Assessors)*

*If no, list the other properties you owned and/or occupied during the past 11 years (6 years if local option under Clause 41C½ adopted - See Assessors.)*

Address	Dates	Owned	Occupied
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

*Continue list on attachment in same format as necessary.*

**C. GROSS RECEIPTS FROM ALL SOURCES IN PRECEDING CALENDAR YEAR.** Complete this section. Copies of your federal and state income tax return, and other documentation, may be requested to verify your income.

	Applicant & Spouse	Co-owner(s) & Spouse(s)
Retirement Benefits (Social Security, Railroad, Federal, MA & Political Subdivisions)...		
Other Pensions and Retirement Allowances.....		
Wages, Salaries and other Compensation .....		
Net Profits from Business, Profession or Property Rental.....		
Interest and Dividends.....		
Other Receipts (Capital Gains, Public Assistance, etc.) .....		
TOTALS		

**D. VALUE OF ALL PROPERTY OWNED ON JULY 1 THIS YEAR.** Complete this section. Documentation may be requested to verify your assets.

Real Estate	Assessed Valuation	Amount Due on Mortgage	Value
Domicile _____			
Other _____			
<b>Personal Estate</b>			
Bank Accounts: Name & Address of Bank			
_____			
_____			
Stocks, Bonds, Securities, etc.: Description & Amount			
_____			
Motor Vehicles & Trailers: Year, Make & Model			
_____			
Other Non-exempt Personal Property: Kind & Description			
_____			
TOTAL			



---

**E. SIGNATURE.** Sign here to complete the application.

This application has been prepared or examined by me. Under the pains and penalties of perjury, I declare that to the best of my knowledge and belief, this return and all accompanying documents and statements are true, correct and complete.

---

Signature

Date

If signed by agent, attach copy of written authorization to sign on behalf of taxpayer.

---

**TAXPAYER INFORMATION ABOUT PERSONAL EXEMPTIONS**

**PERSONAL EXEMPTIONS.** You may be eligible to reduce all or a portion of the taxes assessed on your domicile if you meet the qualifications for one of the personal exemptions allowed under Massachusetts law. Qualifications vary, but generally relate to age, ownership, residency, disability, income or assets.

You may be eligible for an exemption if you fall into any of these categories:

- Legally blind person
- Veteran with a service-connected disability
- Surviving spouse of a servicemember, national guard member or veteran who died from active duty injury or illness
- Surviving spouse
- Minor child of a deceased parent
- Senior citizen age 70 and older (65 and older by local option)

More detailed information about the qualifications for each exemption may be obtained from your board of assessors.

**WHO MAY FILE AN APPLICATION.** You may file an application if you meet all qualifications for a personal exemption as of July 1. You may also apply if you are the personal representative of the estate, or trustee under the will, of a person who qualified for a personal exemption on July 1.

**WHEN AND WHERE APPLICATION MUST BE FILED.** Your application must be filed with the assessors on or before April 1, or 3 months after the actual bills were mailed for the fiscal year, whichever is later. An application is filed when (1) received by the assessors on or before the filing deadline, or (2) mailed by United States mail, first class postage prepaid, to the proper address of the assessors, on or before the filing deadline, as shown by a postmark made by the United States Postal Service. **THIS DEADLINE CANNOT BE EXTENDED OR WAIVED BY THE ASSESSORS FOR ANY REASON. IF YOUR APPLICATION IS NOT TIMELY FILED, YOU LOSE ALL RIGHTS TO AN EXEMPTION AND THE ASSESSORS CANNOT BY LAW GRANT YOU ONE.**

**PAYMENT OF TAX.** Filing an application does not stay the collection of your taxes. In some cases, you must pay all preliminary and actual installments of the tax when due to appeal the assessors' disposition of your application. Failure to pay the tax when due may also subject you to interest charges and collection action. To avoid any loss of rights or additional charges, you should pay the tax as assessed. If an exemption is granted and you have already paid the entire year's tax as exempted, you will receive a refund of any overpayment.

**ASSESSORS DISPOSITION.** Upon applying for an exemption, you may be required to provide the assessors with further information and supporting documentation to establish your eligibility. The assessors have 3 months from the date your application is filed to act on it unless you agree in writing before that period expires to extend it for a specific time. If the assessors do not act on your application within the original or extended period, it is deemed denied. You will be notified in writing whether an exemption has been granted or denied.

**APPEAL.** You may appeal the disposition of your application to the Appellate Tax Board, or if applicable, the County Commissioners. The appeal must be filed within 3 months of the date the assessors acted on your application, or the date your application was deemed denied, whichever is applicable. The disposition notice will provide you with further information about the appeal procedure and deadline.

---

**LEGALLY BLIND  
PROPERTY TAX EXEMPTIONS**



# TAXPAYER'S GUIDE TO LOCAL PROPERTY TAX EXEMPTIONS

## LEGALLY BLIND PERSONS

### Clauses 37, 37A

The Department of Revenue (DOR) has created this fact sheet to provide general information about local property tax exemptions for the legally blind. **It is not designed to address all questions or issues and does not change any provision of the Massachusetts General Laws. To find out about the specific eligibility and application requirements in your city or town, you must contact your local board of assessors.** The DOR cannot determine your eligibility or give you legal advice. Property taxes are assessed and collected by cities and towns, not by the DOR. Under state law, only your board of assessors, as the local tax administrator, can decide whether you qualify for an exemption. If you disagree with its decision, you may appeal to the state Appellate Tax Board (or county commissioners if your county's government has not been abolished).

### INTRODUCTION

Cities and towns may give property tax exemptions to some individuals as defined by state law. An exemption discharges the taxpayer from the legal obligation to pay all or a part of the tax assessed for the fiscal year. Exemptions are found in various clauses of Massachusetts General Laws Chapter 59, Section 5 (M.G.L. c. 59, § 5).

Clauses 37 and 37A provide exemptions for legally blind persons who meet specific occupancy and ownership requirements. Clause 37 applies unless the legislative body of your city or town has voted, subject to local charter, to accept Clause 37A.

The eligibility requirements are the same for both clauses, but Clause 37A provides a higher exemption benefit.

<b>EXEMPTION AMOUNT</b>	Clause 37                      \$437.50 Clause 37A                     \$500.00
<b>APPLICATIONS</b>	You must file an application for each fiscal year with the assessors in the city or town where your property is located. The application is due on April 1, or three months after the actual tax bills are mailed, whichever is later. <b><i>Filing on time is required. By law, the assessors may not waive this filing deadline, nor act on a late application, for any reason.</i></b> Filing an application does not entitle you to delay your tax payment.

For more information, please contact your local assessors.

<b>DOCUMENTATION</b>	<p>You must provide the assessors with whatever information is reasonably required to establish eligibility. This information may include, but is not limited to:</p> <ol style="list-style-type: none"> <li>1. Evidence of domicile and ownership.</li> <li>2. Proof of legal blindness.</li> </ol>
<b>NUMBER OF EXEMPTIONS</b>	<p>With limited exceptions, you may only receive one exemption under M.G.L. c. 59, § 5 for each fiscal year. If you qualify for more than one, you will receive the one that provides the greatest benefit. You may receive an exemption and if qualified, defer all or a part of the balance of the reduced tax.</p>
<b>ELIGIBILITY REQUIREMENTS</b>	<p>You must satisfy tests relating to domicile, ownership and legal blindness. <b>You must meet <u>all</u> eligibility requirements as of July 1 of the tax year.</b> (<i>The fiscal year of cities and towns begins July 1 and ends the following June 30.</i>) <b>If you do not meet all requirements as July 1, you <u>cannot</u> receive all or any portion of the exemption for that tax year.</b></p>
<b>DOMICILE</b>	<p>You must occupy the property as your domicile. Your domicile is where your principal and legal home is located, your family, social, civic and economic life is centered and you plan to return whenever you are away. You may have more than one residence, but only one domicile.</p>
<b>OWNERSHIP</b>	<p>You must own the property.</p> <ol style="list-style-type: none"> <li>1. Your ownership interest must be worth at least \$5,000. You may own this interest solely, as a joint owner or as a tenant in common.</li> <li>2. If you hold a life estate in the domicile, you are the owner.</li> <li>3. If your domicile is held in a trust, you are the owner only if: <ol style="list-style-type: none"> <li>a. You are a trustee or co-trustee of that trust, <b>and</b></li> <li>b. You have a sufficient beneficial interest in the domicile.</li> </ol> </li> </ol>
<b>LEGAL BLINDNESS</b>	<p>You must submit a current "Certificate of Legal Blindness" from the Massachusetts Commission for the Blind with each year's application.</p> <p>In the first year you apply for an exemption, you may substitute a statement from a doctor certifying you are legally blind according to the Commission's specifications.</p>
<b>EXEMPTION CREDIT</b>	<p>If the assessors decide you are eligible and grant an exemption, the amount granted is credited toward and reduces the tax assessed on your domicile for that fiscal year. <b>You will only receive a refund if the entire tax for the year has already been paid at the time the exemption is granted.</b></p>

<b>SALE OF DOMICILE</b>	<p>If you are selling your domicile, you should make your attorney aware that you receive a property tax exemption that reduces the tax owed for the fiscal year. The sale is a private financial transaction and as a party, <b>you are responsible for seeing that the exemption is properly credited at the closing, through escrow or other arrangements, when the parties make adjustments for local property taxes or charges.</b> Your city or town is not responsible for seeing that you and the buyer allocate the property taxes so you get the benefit of the exemption.</p>
-------------------------	--

<b>APPEALS</b>	
<b>Appellate Tax Board</b>	<p>The Appellate Tax Board (ATB) is an independent, quasi-judicial state board that hears taxpayer appeals from local assessors' decisions on property tax abatements and exemptions. If county government has not been abolished, appeals may be made to the county commissioners instead, but assessors may and usually do transfer those appeals to the ATB. ATB decisions may be appealed to the Appeals Court and, ultimately, to the Supreme Judicial Court.</p> <p>You can obtain the ATB's <u>guide</u> to the property tax appeal process from its website (<a href="http://www.mass.gov/atb">www.mass.gov/atb</a>) or by calling 617-727-3100.</p>
<b>Appeal of Action of Assessors</b>	<p>You have three months from the date of the assessors' decision on your exemption application to appeal to the ATB. <b>This includes decisions to deny any exemption or to grant an exemption that provides a lesser benefit.</b> If the application was deemed denied, your appeal must be filed within three months of the deemed denied date. As a general rule, if the real estate tax on your domicile is over \$5,000, you must also have paid all preliminary and actual tax installments on time for the ATB to hear your appeal.</p> <p>The assessors may grant the exemption or higher exemption in final settlement of your application during the three month period for filing an appeal. In that case, you do not have to have filed an appeal with the ATB. However, if a settlement is not reached and an exemption not granted during that period, you must have filed your appeal by the deadline. If not, the ATB cannot hear the appeal.</p>

<b>ASSESSMENT AND EXEMPTION CALENDAR</b>	
<b>January 1</b>	Property Tax Assessment Date for Next Fiscal Year
<b>July 1</b>	Fiscal Year Begins Real Estate Exemption Eligibility Date for Fiscal Year
<b>October - December</b>	Actual Tax Bills Mailed for Fiscal Year
<b>November 1 (Semi-annual Payment Communities)</b> <b>February 1 (Quarterly Payment Communities)</b>	1 <sup>st</sup> Actual Tax Installment Payment Due <sup>1</sup>
<b>April 1, or 3 Calendar Months from Mailing of Actual Tax Bill if later</b>	Personal Exemption Applications to Assessors Due <sup>2</sup>
<b>3 Calendar Months from Filing of Application (or Date of Written Extension Given by Taxpayer)</b>	Assessors Grant or Deny Exemption Application Deemed Denied if Assessors Have Not Acted
<b>3 Calendar Months from Assessors' Action on Application, or Deemed Denial of Application</b>	Appeal to ATB Due

<sup>1</sup> Contact your assessors. The due date depends on the payment system used in your community and the date actual tax bills were mailed for fiscal year.

<sup>2</sup> Some assessors may accept applications before actual tax bills are mailed. If not, or your application is not approved, you must apply by this deadline to claim the exemption.

\_\_\_\_\_  
Name of City or Town

37
Assessors' Use only
Date Received _____
Application No. _____
Parcel Id. _____

**BLIND**  
**FISCAL YEAR \_\_\_\_\_ APPLICATION FOR STATUTORY EXEMPTION**  
**General Laws Chapter 5, § 5**

THIS APPLICATION IS NOT OPEN TO PUBLIC INSPECTION  
(See General Laws Chapter 59, § 60)

**Return to: Board of Assessors**

Must be filed with assessors on or before April 1, or  
3 months after actual (not preliminary) tax bills are  
mailed for fiscal year if later.

**INSTRUCTIONS:** Complete the following. Please print or type.

**A. IDENTIFICATION.** Complete this section fully.

Name of Applicant _____	
Telephone Number _____	Marital Status _____
Legal Residence (Domicile) on July 1, _____	Mailing Address (If different) _____
No. Street City/Town Zip Code	
Location of Property: _____	No. of Dwelling Units: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other _____
Did you own the property on July 1, _____? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, were you: Sole Owner <input type="checkbox"/> Co-owner with Spouse Only <input type="checkbox"/> Co-owner with Others <input type="checkbox"/>	
Was the property subject to a trust as of July 1, _____? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, please attach trust instrument including all schedules.	
Have you been granted any exemption in any other city or town (MA or other) for this year? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, name of city or town _____ Amount exempted \$ _____	

**DISPOSITION OF APPLICATION (ASSESSORS' USE ONLY)**

Ownership <input type="checkbox"/>	GRANTED <input type="checkbox"/>	Assessed Tax \$ _____
Occupancy <input type="checkbox"/>	DENIED <input type="checkbox"/>	Exempted Tax \$ _____
Status <input type="checkbox"/>	DEEMED DENIED <input type="checkbox"/>	Adjusted Tax \$ _____
Income <input type="checkbox"/>		
Assets <input type="checkbox"/>		
Board of Assessors		
Date Voted/Deemed Denied _____		
Certificate No. _____		
Date Cert./Notice Sent _____		
Exemption: Clause _____ Date: _____		

FILING THIS FORM DOES NOT STAY THE COLLECTION OF YOUR TAXES

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

---

**B. EXEMPTION STATUS.** Complete the questions that follow.

Were you legally blind as of July 1, \_\_\_\_\_?    Yes ☐    No ☐

Are you registered with Mass. Commission for the Blind?    Yes ☐    No ☐

*If yes, give Certificate Number \_\_\_\_\_ Date Registered \_\_\_\_\_ Attach copy of certificate.*

*If no, attach a letter from your doctor indicating status as of July 1.*

---

**C. SIGNATURE.** Sign here to complete the application.

This application has been prepared or examined by me. Under the pains and penalties of perjury, I declare that to the best of my knowledge and belief, this return and all accompanying documents and statements are true, correct and complete.

---

Signature

Date

---

If signed by agent, attach copy of written authorization to sign on behalf of taxpayer.

---



---

## TAXPAYER INFORMATION ABOUT PERSONAL EXEMPTIONS

**PERSONAL EXEMPTIONS.** You may be eligible to reduce all or a portion of the taxes assessed on your domicile if you meet the qualifications for one of the personal exemptions allowed under Massachusetts law. Qualifications vary, but generally relate to age, ownership, residency, disability, income or assets.

You may be eligible for an exemption if you fall into any of these categories:

- Legally blind person
- Veteran with a service-connected disability
- Surviving spouse of servicemember, national guard member or veteran who died from active duty injury or illness
- Surviving spouse
- Minor child of a deceased parent
- Senior citizen age 70 and older (65 and older by local option)

More detailed information about the qualifications for each exemption may be obtained from your board of assessors.

**WHO MAY FILE AN APPLICATION.** You may file an application if you meet all qualifications for a personal exemption as of July 1. You may also apply if you are the personal representative of the estate, or trustee under the will, of a person who qualified for a personal exemption on July 1.

**WHEN AND WHERE APPLICATION MUST BE FILED.** Your application must be filed with the assessors on or before April 1, or 3 months after the actual bills were mailed for the fiscal year, whichever is later. An application is filed when (1) received by the assessors on or before the filing deadline, or (2) mailed by United States mail, first class postage prepaid, to the proper address of the assessors, on or before the filing deadline, as shown by a postmark made by the United States Postal Service. THIS DEADLINE CANNOT BE EXTENDED OR WAIVED BY THE ASSESSORS FOR ANY REASON. IF YOUR APPLICATION IS NOT TIMELY FILED, YOU LOSE ALL RIGHTS TO AN EXEMPTION AND THE ASSESSORS CANNOT BY LAW GRANT YOU ONE.

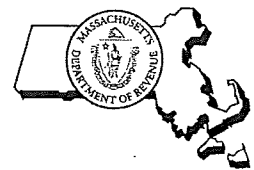
**PAYMENT OF TAX.** Filing an application does not stay the collection of your taxes. In some cases, you must pay all preliminary and actual installments of the tax when due to appeal the assessors' disposition of your application. Failure to pay the tax when due may also subject you to interest charges and collection action. To avoid any loss of rights or additional charges, you should pay the tax as assessed. If an exemption is granted and you have already paid the entire year's tax as exempted, you will receive a refund of any overpayment.

**ASSESSORS DISPOSITION.** Upon applying for an exemption, you may be required to provide the assessors with further information and supporting documentation to establish your eligibility. The assessors have 3 months from the date your application is filed to act on it unless you agree in writing before that period expires to extend it for a specific time. If the assessors do not act on your application within the original or extended period, it is deemed denied. You will be notified in writing whether an exemption has been granted or denied.

**APPEAL.** You may appeal the disposition of your application to the Appellate Tax Board, or if applicable, the County Commissioners. The appeal must be filed within 3 months of the date the assessors acted on your application, or the date your application was deemed denied, whichever is applicable. The disposition notice will provide you with further information about the appeal procedure and deadline.

---

**VETERANS  
PROPERTY TAX EXEMPTIONS**



# Bulletin

---

2009-19B

## VETERAN EXEMPTIONS

TO: Assessors

FROM: Robert G. Nunes, Deputy Commissioner & Director of Municipal Affairs

DATE: August 2009

SUBJECT: Revised United States Department of Veterans Affairs Benefit Letters

---

This *Bulletin* provides assessors with information about changes the United States Department of Veterans Affairs (VA) has made in the letters it issues to veterans and their surviving spouses for use in obtaining various benefits, including local property tax exemptions.

### **100% Disability Ratings**

Assessors should be able to determine the required service-connected disability for most veterans from their revised benefit letters. We understand, however, there has been some difficulty interpreting the information presented for veterans who are applying for a Clause 22E exemption, which requires a VA certified disability rating of 100%. That exemption also requires the assessors to determine the veteran is incapable of working and meets certain ownership, occupancy and residency requirements. The new letters often indicate disability evaluations of less than 100% for veterans who are unemployable or totally and permanently disabled. In the past, those veterans usually provided letters indicating a 100% rating.

Based on information obtained by the Massachusetts Department of Veterans Services from federal officials, we have determined that a veteran whose VA benefit letter reports "Yes" to any of the following conditions has a 100% disability rating:

- Are you entitled to a higher level of disability due to being unemployable?
- Are you considered to be totally and permanently disabled due to your service-connected disabilities?

As we understand it, the percentage shown in the revised letter is the veteran's baseline VA benefit payment rating. Under VA rules, however, the existence of any of the conditions listed above results in a disability rating of 100%. For example, if a veteran has a baseline rating of 70% and is totally and permanently disabled, another 30% is added to bring the veteran's rating to 100%.

### **Annual Certification of 100% Disability Rating**

As you know, a veteran who applies for a Clause 22E exemption must submit a current VA certification of disability with each year's application, even if the veteran has received the exemption in previous years. The surviving spouse of a veteran who qualified for a Clause 22E exemption at the time of his or her death may also receive the exemption so long as the spouse meets all eligibility requirements (ownership, occupancy, timely application). Please note that the surviving spouse of a veteran who received the exemption before his or her death does not have to continue providing an annual certification. If the veteran did not previously receive the exemption, however, the surviving spouse's initial application will need to include a certificate to establish the veteran's disability rating at the time of death. Once the spouse is granted the exemption, no further certifications are required.

Please retain this *Bulletin* for future reference in processing veteran exemptions.

If you have any questions, please contact the Bureau of Municipal Finance Law legal staff at 617-626-2400.



## TAXPAYER'S GUIDE TO LOCAL PROPERTY TAX EXEMPTIONS

### VETERANS

#### Clauses 22, 22A, 22B, 22C, 22D, 22E, 22F

The Department of Revenue (DOR) has created this fact sheet to provide general information about local property tax exemptions for veterans. **It is not designed to address all questions or issues and does not change any provision of the Massachusetts General Laws. To find out about the specific eligibility and application requirements in your city or town, you must contact your local board of assessors.** The DOR cannot determine your eligibility or give you legal advice. Property taxes are assessed and collected by cities and towns, not by the DOR. Under state law, only your board of assessors, as the local tax administrator, can decide whether you qualify for an exemption. If you disagree with its decision, you may appeal to the state Appellate Tax Board (or county commissioners if your county's government has not been abolished).

#### INTRODUCTION

Cities and towns may give property tax exemptions to some individuals as defined by state law. An exemption discharges the taxpayer from the legal obligation to pay all or a portion of the tax assessed for the fiscal year. Exemptions are found in various clauses of Massachusetts General Laws Chapter 59, Section 5 (M.G.L. c. 59, § 5).

Clauses 22, 22A, 22B, 22C, 22D, 22E and 22F provide exemptions to some veterans, their spouses who own the domicile and their surviving spouses, and some surviving parents and spouses of active duty military personnel who died during or due to military service.

<b>APPLICATIONS</b>	You must file an application for each fiscal year with the assessors in the city or town where your property is located. The application is due on April 1, or three months after the actual tax bills are mailed, whichever is later. <b><i>Filing on time is required. By law, the assessors may not waive this filing deadline, nor act on a late application, for any reason.</i></b> Filing an application does not entitle you to delay your tax payment.
<b>DOCUMENTATION</b>	You must provide the assessors with whatever information is reasonably required to establish eligibility. This information may include, but is not limited to: <ol style="list-style-type: none"><li>1. Evidence of residency, ownership, domicile and occupancy.</li><li>2. Certification of a service-connected disability or death from the U.S. Department of Veterans Affairs (VA) or branch of U.S. military service from which discharged or in which served.</li></ol>

For more information, please contact your local assessors.

<b>NUMBER OF EXEMPTIONS</b>	With limited exceptions, you may only receive one exemption under M.G.L. c. 59, § 5 for each fiscal year. If you qualify for more than one, you will receive the one that provides the greatest benefit. You may receive an exemption and if qualified, defer all or a part of the balance of the reduced tax.
<b>VETERAN</b>	Veterans are individuals who served on active duty in the Armed Forces of the United States for certain time periods during peace or wartime eras and were discharged from military service. Their last discharge or release must have been under other than dishonorable conditions.
<b>ELIGIBILITY REQUIREMENTS</b>	You must satisfy tests relating to residency, domicile, ownership and service-connected disability or awards. <b>You must meet <u>all</u> eligibility requirements as of July 1 of the tax year.</b> ( <i>The fiscal year of cities and towns begins July 1 and ends the following June 30.</i> ) <b>If you do not meet all requirements as of July 1, you <u>cannot</u> receive all or any portion of the exemption for that tax year.</b>
<b>RESIDENCY</b>	Veterans must have (1) been domiciled in Massachusetts for at least 6 consecutive months before entering military service, <u>or</u> (2) lived in Massachusetts for at least 5 consecutive years before the tax year begins (or at least 1 consecutive year before the tax year begins, if the legislative body of your city or town has voted, subject to local charter, to accept this local option).
<b>DOMICILE</b>	You must occupy the property as your domicile. If you are a spouse of a veteran, you and the veteran must occupy the property as your domicile. Your domicile is where your principal and legal home is located, your family, social, civic and economic life is centered and you plan to return whenever you are away. You may have more than one residence, but only one domicile.
<b>OWNERSHIP</b>	You must own the property. <ol style="list-style-type: none"> <li>1. Your ownership interest must be worth at least an amount ranging from \$2,000 to \$10,000, depending on the exemption. You may own this interest solely, as a joint owner or as a tenant in common.</li> <li>2. If you hold a life estate in the domicile, you are the owner.</li> <li>3. If your domicile is held in a trust, you are the owner only if: <ol style="list-style-type: none"> <li>a. You are a trustee or co-trustee of that trust, <b>and</b></li> <li>b. You have a sufficient beneficial interest in the domicile.</li> </ol> </li> </ol>

<b>EXEMPTION CREDIT</b>	If the assessors decide you are eligible and grant an exemption, the amount granted is credited toward and reduces the tax assessed on your domicile for that fiscal year. <b>You will only receive a refund if the entire tax for the year has already been paid at the time the exemption is granted.</b>
<b>SALE OF DOMICILE</b>	If you are selling your domicile, you should make your attorney aware that you receive a property tax exemption that reduces the tax owed for the fiscal year. The sale is a private financial transaction and as a party, <b>you are responsible for seeing that the exemption is properly credited at the closing, through escrow or other arrangements, when the parties make adjustments for local property taxes or charges.</b> Your city or town is not responsible for seeing that you and the buyer allocate the property taxes so you get the benefit of the exemption.
<b>WHO IS ELIGIBLE AND EXEMPTION AMOUNTS</b>	
<b>Clause 22 - \$400</b>	<ol style="list-style-type: none"> <li>1. Veterans with a service-connected disability of 10% or more.</li> <li>2. Veterans awarded the Purple Heart.</li> <li>3. Surviving parents of military personnel who died in military service (Gold Star Parents).</li> <li>4. Spouses (where the domicile is owned by the veteran's spouse), and surviving spouses (who have never remarried), of veterans entitled to exemption under Clause 22.</li> <li>5. Surviving spouses (who have never remarried) of World War I veterans as long as their assets (whole worth), less any mortgage on the property, do not exceed \$20,000.</li> </ol>
<b>Clause 22A - \$750</b>	<ol style="list-style-type: none"> <li>1. Veterans who (1) suffered in the line of duty the loss or permanent loss of use of one foot or one hand or one eye, <b>or</b> (2) received the Congressional Medal of Honor, Distinguished Service Cross, Navy Cross or Air Force Cross.</li> <li>2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22A.</li> </ol>
<b>Clause 22B - \$1,250</b>	<ol style="list-style-type: none"> <li>1. Veterans who suffered in the line of duty the loss or permanent loss of use of both feet, both hands or both eyes.</li> <li>2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22B.</li> </ol>
<b>Clause 22C - \$1,500</b>	<ol style="list-style-type: none"> <li>1. Veterans who suffered total disability in the line of duty <b>and</b> received assistance in acquiring "specially adapted housing" which they own and occupy as their domicile.</li> <li>2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22C.</li> </ol>

<b>Clause 22D – Full</b>	<p>Surviving spouses (who have never remarried) of (1) military personnel (including members of the National Guard on active duty) who went missing in action during active duty and are presumed to have died, or (2) military personnel (including members of the National Guard on active duty) or veterans who died as a proximate result of an injuries sustained or illnesses contracted during active duty service.</p> <p>A surviving spouse must have lived in Massachusetts for at least 5 consecutive years before the tax year begins (or lived in Massachusetts for at least 1 consecutive year before the tax year begins, if the legislative body of your city or town has voted to accept this local option). If not, the deceased military or guard member or veteran had to have been domiciled in Massachusetts for at least 6 consecutive months before entering the service.</p>
<b>Clause 22E - \$1,000</b>	<ol style="list-style-type: none"> <li>1. Veterans who have a service connected disability of 100%.</li> <li>2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22E.</li> </ol>
<b>Clause 22F – Full</b>	<ol style="list-style-type: none"> <li>1. Veterans who are paraplegics, or have a 100% disability for service-connected blindness.</li> <li>2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22F.</li> </ol>
<p>Clause 22A, 22B, 22C, 22E and 22F exemptions are prorated for a domicile greater than a single-family house. The exemption is the same percentage of the tax as the part of the house occupied by the veteran, or if deceased, the surviving spouse, for example, 50% if one unit of a two-family house is occupied by the veteran or surviving spouse.</p>	

<b>APPEALS</b>	
<b>Appellate Tax Board</b>	<p>The Appellate Tax Board (ATB) is an independent, quasi-judicial state board that hears taxpayer appeals from local assessors' decisions on property tax abatements and exemptions. If county government has not been abolished, appeals may be made to the county commissioners instead, but assessors may and usually do transfer those appeals to the ATB. ATB decisions may be appealed to the Appeals Court and, ultimately, to the Supreme Judicial Court.</p> <p>You can obtain the ATB's <u>guide</u> to the property tax appeal process from its website (<a href="http://www.mass.gov/atb">www.mass.gov/atb</a>) or by calling 617-727-3100.</p>



<b>Appeal of Action of Assessors</b>	<p>You have three months from the date of the assessors' decision on your exemption application to appeal to the ATB. <b>This includes decisions to deny any exemption or to grant an exemption that provides a lesser benefit.</b> If the application was deemed denied, your appeal must be filed within three months of the deemed denied date. As a general rule, if the real estate tax on your domicile is over \$5,000, you must also have paid all preliminary and actual tax installments on time for the ATB to hear your appeal.</p> <p>The assessors may grant the exemption or higher exemption in final settlement of your application during the three month period for filing an appeal. In that case, you do not have to have filed an appeal with the ATB. However, if a settlement is not reached and an exemption not granted during that period, you must have filed your appeal by the deadline. If not, the ATB cannot hear the appeal.</p>
--------------------------------------	--

<b>ASSESSMENT AND EXEMPTION CALENDAR</b>	
<b>January 1</b>	Property Tax Assessment Date for Next Fiscal Year
<b>July 1</b>	Fiscal Year Begins Real Estate Exemption Eligibility Date for Fiscal Year
<b>October - December</b>	Actual Tax Bills Mailed for Fiscal Year
<b>November 1 (Semi-annual Payment Communities) February 1 (Quarterly Payment Communities)</b>	1 <sup>st</sup> Actual Tax Installment Payment Due <sup>1</sup>
<b>April 1, or 3 Calendar Months from Mailing of Actual Tax Bill if later</b>	Personal Exemption Applications to Assessors Due <sup>2</sup>

<sup>1</sup> Contact your assessors. The due date depends on the payment system used in your community and the date actual tax bills were mailed for fiscal year.

<sup>2</sup> Some assessors may accept applications before actual tax bills are mailed. If not, or your application is not approved, you must apply by this deadline to claim the exemption.

<b>3 Calendar Months from Filing of Application (or Date of Written Extension Given by Taxpayer)</b>	Assessors Grant or Deny Exemption Application Deemed Denied if Assessors Have Not Acted
<b>3 Calendar Months from Assessors' Action on Application, or Deemed Denial of Application</b>	Appeal to ATB Due



**DLS**  
DIVISION OF LOCAL SERVICES  
MA DEPARTMENT OF REVENUE

Michael J. Heffernan  
Commissioner of Revenue

Sean R. Cronin  
Senior Deputy Commissioner

# Informational Guideline Release

---

Bureau of Municipal Finance Law  
Informational Guideline Release (IGR) No. 17-18  
July 2017

Supersedes Inconsistent Prior Written Statements

## **CLAUSE 22D PROPERTY TAX EXEMPTION** **FOR** **SURVIVING SPOUSES OF ACTIVE DUTY PERSONNEL AND VETERANS**

**Chapter 141, §§ 9 and 25 of the Acts of 2016**  
**(Amends G.L. c. 59, § 5(22D))**

This Informational Guideline Release (IGR) informs local officials about recent legislation that amends eligibility requirements for the full property tax exemption provided surviving spouses of certain military personnel and veterans, effective for FY2018. It also explains the standards and procedures that apply to this exemption generally.

Topical Index Key:

Exemptions

Distribution:

Assessors

Supersedes Inconsistent Prior Written Statements

**CLAUSE 22D PROPERTY TAX EXEMPTION**  
**FOR**  
**SURVIVING SPOUSES OF ACTIVE DUTY PERSONNEL AND VETERANS**

**Chapter 141, §§ 9 and 25 of the Acts of 2016**  
**(Amends G.L. c. 59, § 5(22D))**

**SUMMARY:**

These guidelines explain recent amendments made by the 2016 Housing, Operations, Military Service and Enrichment (HOME) Act to eligibility for the full property tax exemption provided surviving spouses of certain active duty military personnel under G.L. c. 59, § 5, Clause 22D. See St. 2016, c. 141, §§ 9 and 25. These amendments apply beginning in fiscal year 2018.

Under Clause 22D, surviving spouses of active duty service members or national guardsmen who were killed in combat, missing in action and presumed dead, or whose death was the proximate result of an injury sustained or disease contracted in a combat zone, are exempt from the taxes assessed on their domiciles. Beginning in fiscal year 2018, the requirement that the death or service-connected injury or disease be sustained in a combat zone is eliminated and surviving spouses of veterans whose proximate cause of death was an injury or illness suffered during active duty will also be eligible for the exemption. In addition, the United States Department of Veterans Administration (VA) or branch of service decision on the proximate cause of death will now be determinative of that eligibility factor, as is currently the case with respect to service-connected disabilities that make veterans eligible for other exemptions under G.L. c. 59, § 5. See Clauses 22, 22A-22C, 22E, 22F. Previously, the assessors had to make their own determination that a combat zone injury or disease was the proximate cause of death. As was previously the case, the exemption may be granted until the death or remarriage of the surviving spouse.

A surviving spouse is eligible regardless of when the servicemember, national guard member or veteran died of the active duty injury or illness; but only for fiscal years 2018 and after. The legislature repealed provisions that appeared to limit eligibility to the surviving spouses of active duty personnel who died in post September 11, 2001 military engagements and to permit some retroactive eligibility.

**The amended Clause 22D applies in all cities and towns beginning in fiscal year 2018 without any local action.**

These guidelines are in effect and supersede any inconsistent prior written statements or documents regarding G.L. c. 59, § 5, Clause 22D.

BUREAU OF MUNICIPAL FINANCE LAW

KATHLEEN COLLEARY, CHIEF

## **GUIDELINES:**

### **A. APPLICATION PROCEDURE**

#### **1. Application Deadline**

A taxpayer must file an application on an approved form with the board of assessors for each fiscal year for which a Clause 22D exemption is sought (State Tax Form 96, State Tax Form 96-4 or State Tax Form 96-5). **Each year's application is due on or before April 1, or three months after the actual tax bill is sent, whichever is later.** G.L. c. 59, § 59. Assessors may not waive the filing deadline or act on a late-filed application.

#### **2. Appeals**

An applicant aggrieved by the assessors' action on an application for an exemption may appeal to the state Appellate Tax Board, or the county commissioners if they live in a county where county government has not been abolished. The appeal must be filed within three months of the date the exemption was denied, or deemed denied if the assessors did not act. G.L. c. 59, §§ 64 and 65.

### **B. EXEMPTION QUALIFICATIONS**

#### **1. Eligibility Date**

As with other personal exemptions, Clause 22D exemption status is determined as of July 1. G.L. c. 59, § 5 (first paragraph). All eligibility requirements for the exemption must be met as of that date.

#### **2. Applicant's Status**

##### **a. Surviving Spouse**

An applicant for a Clause 22D must be the surviving spouse of a veteran or a member of the United States military or National Guard on active duty.

A surviving spouse is the person who was married to the veteran or service or guard member at the time of his or her death and who has never remarried.

Veterans are individuals who served on active duty in the Armed Forces of the United States during peace or wartime periods and were discharged from military service. Their last discharge or release must have been under other than dishonorable conditions. See G.L. c. 4, § 7, Clause 43; Department of Veterans' Services Chart.

b. **Durational Residency**

The surviving spouse must have been domiciled in Massachusetts at least five consecutive years before applying for the exemption, or the deceased veteran or service or guard member must have been domiciled in Massachusetts at least six consecutive months before entering the service.

In communities accepting the local option in G.L. c. 59, § 5, however, a surviving spouse whose deceased spouse was not domiciled in Massachusetts before entering the service must have been domiciled in Massachusetts at least one consecutive year before applying for the exemption. Once accepted, the option applies to all veteran exemptions under G.L. 59, § 5, Clauses 22, 22A, 22B, 22C, 22D, 22E and 22F.

3. **Service-connected Death**

In the first year the exemption is sought, the applicant must provide a certification by the United States Department of Veterans Affairs (VA), or the branch of the military in which the service or guard member or veteran served, that according to its records:

- a. **Missing in Action**. The applicant's spouse is a member of the military or national guard on active duty who is missing in action and presumed dead, or
- b. **Active Duty Injury or Illness**. The applicant's spouse was a member of the military or national guard on active duty or a veteran who suffered an injury or illness during active duty that was the proximate cause of death.

**Once the assessors have granted the exemption, the applicant does not have to include a certification with applications in future years.**

4. **Ownership**

The surviving spouse must own the property on July 1.

The applicant may be the sole owner, or may own the property jointly with other natural persons. The property may not be owned in whole or in part by a business, governmental or non-profit entity.

As with other personal exemptions, an applicant who holds a life estate in the property is considered its owner. If the property is held in trust, the applicant must be a trustee who also has a sufficient beneficial interest in the property.

5. **Domicile**

The applicant must occupy the property as his or her domicile on July 1.

C. EXEMPTION AMOUNT

The exemption is for the entire amount of the real estate tax assessed on the domicile, including any Community Preservation or Municipal Water Infrastructure Investment Surcharge assessed on that tax.

D. ACCOUNTING

All exemptions granted are charged to the overlay.

E. STATE REIMBURSEMENT

Subject to appropriation, cities and towns will be reimbursed for the full exemption granted.

## FEATURES OF CLAUSE 22D SURVIVING SPOUSES' EXEMPTION

<b>STATUS</b>	Deceased spouse must be certified by the VA or branch of service as being (1) a member of the military or national guard on active duty who is missing in action and presumed dead, or (2) a member of the military or national guard on active duty, or a veteran, whose active duty injury or illness was the proximate cause of death
<b>OWNERSHIP</b>	Surviving spouse of member of military service or national guard on active duty, or veteran, must own the property on July 1 (Same as Clauses 22-22E)
<b>DOMICILE</b>	<p>Surviving spouse must occupy the property as domicile on July 1 (Same as Clauses 22-22F)</p> <p>Surviving spouse must have resided in Massachusetts at least 5 consecutive years before applying for the exemption, or the deceased veteran or service or guard member must have resided in Massachusetts at least 6 consecutive months before entering the service. (Same as Clauses 22-22F)</p> <p><u><b>Local Acceptance Option</b></u></p> <p>Surviving spouse must have resided in Massachusetts at least 1 consecutive year before applying for the exemption, or the deceased veteran or service or guard member must have resided in Massachusetts at least 6 consecutive months before entering the service. (If accepted applies to Clauses 22-22F)</p>
<b>EXEMPTION AMOUNT</b>	Full
<b>APPLICATION DEADLINE</b>	April 1, or 3 months after the actual tax bill is sent, whichever is later (Same as Clauses 22-22F)
<b>STATE REIMBURSEMENT</b>	Exemption granted





**DLS**  
DIVISION OF LOCAL SERVICES  
MA DEPARTMENT OF REVENUE

Michael J. Heffernan  
Commissioner of Revenue

Sean R. Cronin  
Senior Deputy Commissioner

# Informational Guideline Release

---

Bureau of Municipal Finance Law  
Informational Guideline Release (IGR) No. 17-19  
July 2017

Supersedes IGR 15-208 and Inconsistent Prior Written Statements

## **CLAUSE 22F PROPERTY TAX EXEMPTION** **FOR** **PARAPLEGIC AND BLIND VETERANS**

**Chapter 141, § 10 of the Acts of 2016**  
**(Amends G.L. c. 59, § 5(22F))**

This Informational Guideline Release (IGR) informs local officials about recent legislation that expands eligibility for the full property tax exemption for paraplegic veterans to include veterans who have a 100% disability rating due to service-connected blindness, effective for FY2018. It also explains the standards and procedures that apply to this exemption generally.

Topical Index Key:

Exemptions

Distribution:

Assessors

Supersedes IGR 15-208 and Inconsistent Prior Written Statements

**CLAUSE 22F PROPERTY TAX EXEMPTION**  
**FOR**  
**PARAPLEGIC AND BLIND VETERANS**

**Chapter 141, § 10 of the Acts of 2016**  
**(Amends G.L. c. 59, § 5(22F))**

**SUMMARY:**

These guidelines explain recent amendments made by the 2016 Housing, Operations, Military Service and Enrichment (HOME) Act that expand the eligibility of the Clause 22F property tax exemption for paraplegic veterans. See St. 2016, c. 141, § 10. They also have been updated to reflect the April 1 application deadline for all personal exemptions established by the Municipal Modernization Act beginning in fiscal year 2017. St. 2016, c. 218, §§ 146 and 247.

Under Clause 22F of G.L. c. 59, § 5, paraplegic veterans and their spouses and surviving spouses are eligible for a full exemption from property taxes on their domiciles. Beginning in fiscal year 2018, this exemption will also extend to veterans who are 100% disabled due to service-connected blindness and their spouses and surviving spouses. **This amendment applies in all cities and towns without any local action**. There is no change in the state reimbursement to cities and towns. The city or town funds the first \$175 of the exempted tax and the state reimburses the balance.

These guidelines are in effect and supersede Informational Guideline Release (IGR) No. 15-208, *Clause 22F Property Tax Exemption for Paraplegic Veterans*, and any inconsistent prior written statements or documents.

**GUIDELINES:**

**A. APPLICATION PROCEDURE**

**1. Application Deadline**

A taxpayer must file an application on an approved form with the board of assessors for each fiscal year for which a Clause 22F exemption is sought (State Tax Form 96, State Tax Form 96-4 or State Tax Form 96-5). **Each year's application is due on or before April 1, or three months after the actual tax bill is sent, whichever is later.** G.L. c. 59, § 59. Assessors may not waive the filing deadline or act on a late-filed application.

2. **Appeals**

An applicant aggrieved by the assessors' action on an application for an exemption may appeal to the state Appellate Tax Board, or the county commissioners if they live in a county where county government has not been abolished. The appeal must be filed within three months of the date the exemption was denied, or deemed denied if the assessors did not act. G.L. c. 59, §§ 64 and 65.

B. **EXEMPTION QUALIFICATIONS**

1. **Eligibility Date**

As with other personal exemptions, Clause 22F exemption status is determined as of July 1. G.L. c. 59, § 5 (first paragraph). All eligibility requirements for the exemption must be met as of that date.

2. **Applicant's Status**

a. **Veteran**

An applicant for a Clause 22F must be a veteran, or a spouse or surviving spouse of a veteran.

Veterans are individuals who served on active duty in the Armed Forces of the United States during peace or wartime periods and were discharged from military service. Their last discharge or release must have been under other than dishonorable conditions. See G.L. c. 4, § 7, Clause 43; Department of Veterans' Services Chart.

b. **Durational Residency**

As with other veteran exemptions, the veteran must (1) have resided in Massachusetts at least six consecutive months before entering the service, or (2) have resided in Massachusetts at least five consecutive years before applying for the exemption.

In communities accepting the local option in G.L. c. 59, § 5, however, the number of years a veteran who did not reside in Massachusetts before entering the service must have resided in Massachusetts is one consecutive year. Once accepted, the option applies to all veteran exemptions under G.L. 59, § 5, Clauses 22, 22A, 22B, 22C, 22D, 22E and 22F.

3. **Service-connected Disability**

In the first year the exemption is sought, the applicant must provide a certification by the United States Department of Veterans Affairs (VA), or the branch of the military in which the veteran served, that according to its records:

- a. **Paraplegic.** The veteran has paraplegia due to his or her military service, or
- b. **Blind.** The veteran is 100% disabled due to service-connected blindness.

**Once the assessors have granted the exemption, the veteran does not have to include a certification with applications in future years.**

For applications by a surviving spouse, a VA or branch of service certification that establishes the veteran had paraplegia or was 100% disabled due to service-connected blindness at the time of death must be provided in the first year the Clause 22F exemption is sought **only** if the assessors had not granted the veteran that exemption during the veteran's lifetime.

4. **Ownership**

The veteran, spouse of a veteran or surviving spouse of a veteran applying for the exemption must own the property on July 1:

The applicant may be the sole owner, or may own the property jointly with a spouse or other natural persons. The property may not be owned in whole or in part by a business, governmental or non-profit entity.

As with other personal exemptions, an applicant who holds a life estate in the property is considered its owner. If the property is held in trust, the applicant must be a trustee who also has a sufficient beneficial interest in the property.

5. **Domicile**

The applicant must occupy the property as his or her domicile on July 1.

If the spouse of the veteran is the applicant, the veteran must also occupy the property as his or her domicile on July 1.

C. **EXEMPTION AMOUNT**

The exemption is for the entire amount of the real estate tax assessed on and attributable to the domicile, including any Community Preservation or Municipal Water Infrastructure Investment Surcharge assessed on that tax.

If the property is greater than a single-family house, then only the same percentage of the full tax and surcharge as the part of the house occupied by the veteran, or if deceased, the veteran's surviving spouse, as his or her domicile is exempt from the tax.

**D. ACCOUNTING**

All exemptions granted are charged to the overlay.

**E. STATE REIMBURSEMENT**

Subject to appropriation, cities and towns will be reimbursed for the full exemption granted minus the first \$175 of the exemption.

## FEATURES OF CLAUSE 22F VETERAN'S EXEMPTION

<b>STATUS</b>	Veteran certified by the VA or branch of service as (1) having paraplegia or (2) being 100% disabled due to service-connected blindness
<b>OWNERSHIP</b>	Paraplegic or blind veteran, or veteran's spouse or surviving spouse, must own the property on July 1 (Same as Clauses 22-22E)
<b>DOMICILE</b>	<p>Paraplegic or blind veteran, or veteran's surviving spouse owner, must occupy the property as domicile on July 1 (Same as Clauses 22-22E)</p> <p>Veteran must (1) have resided in Massachusetts at least 6 consecutive months before entering the service, or (2) have resided in Massachusetts at least 5 consecutive years before applying for the exemption. (Same as Clauses 22-22E)</p> <p><u>Local Acceptance Option</u></p> <p>Veteran must (1) have resided in Massachusetts at least 6 consecutive months before entering the service, or (2) have resided in Massachusetts for 1 consecutive year before applying for the exemption (If accepted, applies to Clauses 22-22F)</p>
<b>EXEMPTION AMOUNT</b>	Full, except if property is more than a single family house, the same percentage of the full tax as the part of the house occupied by the veteran, or if deceased, the surviving spouse as his or her domicile, is exempt (Same as Clauses 22A-C and 22E)
<b>APPLICATION DEADLINE</b>	April 1, or 3 months after the actual tax bill is sent, whichever is later (Same as Clauses 22-22E).
<b>STATE REIMBURSEMENT</b>	Exemption granted less the first \$175

Date Received  
Application No.  
Parcel Id.

Name of City or Town

**VETERAN**  
**FISCAL YEAR \_\_\_\_\_ APPLICATION FOR STATUTORY EXEMPTION**  
**General Laws Chapter 59, § 5**

THIS APPLICATION IS NOT OPEN TO PUBLIC INSPECTION  
(See General Laws Chapter 59, § 60)

**Return to: Board of Assessors**

Must be filed with assessors on or before April 1, or  
3 months after actual (**not** preliminary) tax bills are  
mailed for fiscal year if later.

**INSTRUCTIONS:** Complete the following. Please print or type.

**A. IDENTIFICATION.** Complete this section fully.

Name of Applicant _____			Marital Status _____		
Telephone Number _____			Mailing Address (If different) _____		
Legal Residence (Domicile) on July 1, _____					
No. _____	Street _____	City/Town _____	Zip Code _____		
Location of Property: _____				No. of Dwelling Units: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other _____	
Did you own the property on July 1, _____? Yes <input type="checkbox"/> No <input type="checkbox"/>					
If yes, were you: Sole Owner <input type="checkbox"/> Co-owner with Spouse Only <input type="checkbox"/> Co-owner with Others <input type="checkbox"/>					
Was the property subject to a trust as of July 1, _____? Yes <input type="checkbox"/> No <input type="checkbox"/>					
If yes, please attach trust instrument including all schedules.					
Have you been granted any exemption in any other city or town (MA or other) for this year? Yes <input type="checkbox"/> No <input type="checkbox"/>					
If yes, name of city or town _____ Amount exempted \$ _____					

**DISPOSITION OF APPLICATION (ASSESSORS' USE ONLY)**

Ownership <input type="checkbox"/>	GRANTED <input type="checkbox"/>	Assessed Tax \$ _____
Occupancy <input type="checkbox"/>	DENIED <input type="checkbox"/>	Exempted Tax \$ _____
Status <input type="checkbox"/>	DEEMED DENIED <input type="checkbox"/>	Adjusted Tax \$ _____
Board of Assessors		
Date Voted/Deemed Denied _____		
Certificate No. _____		
Date Cert./Notice Sent _____		
Exemption: Clause _____ Date: _____		

FILING THIS FORM DOES NOT STAY THE COLLECTION OF YOUR TAXES

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

**B. EXEMPTION STATUS.** Check the status that applies to you and complete the questions that follow.

☐ **VETERAN**

☐ **VETERAN'S SPOUSE**

Veteran's Name \_\_\_\_\_

Was the property the veteran's domicile as of July 1, \_\_\_\_\_?

Yes ☐ No ☐

If no, where does the veteran reside? \_\_\_\_\_

☐ **VETERAN'S/SERVICEMEMBER'S/ NATIONAL  
GUARD MEMBER'S SURVIVING SPOUSE or  
SERVICEMEMBER'S SURVIVING PARENT**

Deceased Veteran's/Servicemember's/National Guard member's  
Name \_\_\_\_\_

If first year of application, attach copy of death certificate.

If you are surviving spouse, have you remarried? Yes ☐ No ☐

Date Enlisted/Inducted \_\_\_\_\_

Date Discharged \_\_\_\_\_

Type of Discharge \_\_\_\_\_

If first year of application, attach copy of discharge papers.

Military Decorations or Awards \_\_\_\_\_

Did the veteran/service/national guard member live in Massachusetts for at least 6 months before entering the service?

Yes ☐ No ☐ If no, list places and dates where veteran or member lived during the last 6 years or if deceased, the 6 years before death (2 years if local option adopted - See Assessors)

Address

Dates

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Continue list on attachment in same format as necessary.

If yes to any of the next 2 questions and if first year of application, (1) attach documentation from U.S. Dept. of Veterans Affairs, branch of service and (2) list above places and dates where surviving spouse has lived during the last 6 years (2 years if local option adopted - See Assessors)

Is the servicemember or national guard member missing in action and presumed dead? Yes ☐ No ☐

Was the proximate cause of the veteran's, servicemember's or national guard member's death due to an active duty injury or illness? Yes ☐ No ☐

If yes to next question and first year of application, attach Certificate of Disability from U.S. Dept. of Veterans Affairs or branch of service.

Does the veteran have a 100% disability rating for service-connected blindness? Yes ☐ No ☐

If yes to any of the next 3 questions and

If first year of application, attach Certificate of Disability from U.S. Dept. of Veterans Affairs or branch of service.

If exemption granted previously, attach certificate only if disability rating is 100% or has changed.

Does the veteran have a service-connected disability? Yes ☐ No ☐

Has the veteran acquired "specially adapted housing?" Yes ☐ No ☐

Is the veteran a paraplegic? Yes ☐ No ☐

**GO ON TO SECTION C**

**C. SIGNATURE.** Sign here to complete the application.

This application has been prepared or examined by me. Under the pains and penalties of perjury, I declare that to the best of my knowledge and belief, this return and all accompanying documents and statements are true, correct and complete.

Signature

Date

If signed by agent, attach copy of written authorization to sign on behalf of taxpayer.



---

## TAXPAYER INFORMATION ABOUT PERSONAL EXEMPTIONS

**PERSONAL EXEMPTIONS.** You may be eligible to reduce all or a portion of the taxes assessed on your domicile if you meet the qualifications for one of the personal exemptions allowed under Massachusetts law. Qualifications vary, but generally relate to age, ownership, residency, disability, income or assets.

You may be eligible for an exemption if you fall into any of these categories:

- Legally blind person
- Veteran with a service-connected disability
- Surviving spouse of servicemember, national guard member or veteran who died from active duty injury or illness
- Surviving spouse
- Minor child of a deceased parent
- Senior citizen age 70 and older (65 and older by local option)

More detailed information about the qualifications for each exemption may be obtained from your board of assessors.

**WHO MAY FILE AN APPLICATION.** You may file an application if you meet all qualifications for a personal exemption as of July 1. You may also apply if you are the personal representative of the estate, or trustee under the will, of a person who qualified for a personal exemption on July 1.

**WHEN AND WHERE APPLICATION MUST BE FILED.** Your application must be filed with the assessors on or before April 1, or 3 months after the actual bills were mailed for the fiscal year, whichever is later. An application is filed when (1) received by the assessors on or before the filing deadline, or (2) mailed by United States mail, first class postage prepaid, to the proper address of the assessors, on or before the filing deadline, as shown by a postmark made by the United States Postal Service. **THIS DEADLINE CANNOT BE EXTENDED OR WAIVED BY THE ASSESSORS FOR ANY REASON. IF YOUR APPLICATION IS NOT TIMELY FILED, YOU LOSE ALL RIGHTS TO AN EXEMPTION AND THE ASSESSORS CANNOT BY LAW GRANT YOU ONE.**

**PAYMENT OF TAX.** Filing an application does not stay the collection of your taxes. In some cases, you must pay all preliminary and actual installments of the tax when due to appeal the assessors' disposition of your application. Failure to pay the tax when due may also subject you to interest charges and collection action. To avoid any loss of rights or additional charges, you should pay the tax as assessed. If an exemption is granted and you have already paid the entire year's tax as exempted, you will receive a refund of any overpayment.

**ASSESSORS DISPOSITION.** Upon applying for an exemption, you may be required to provide the assessors with further information and supporting documentation to establish your eligibility. The assessors have 3 months from the date your application is filed to act on it unless you agree in writing before that period expires to extend it for a specific time. If the assessors do not act on your application within the original or extended period, it is deemed denied. You will be notified in writing whether an exemption has been granted or denied.

**APPEAL.** You may appeal the disposition of your application to the Appellate Tax Board, or if applicable, the County Commissioners. The appeal must be filed within 3 months of the date the assessors acted on your application, or the date your application was deemed denied, whichever is applicable. The disposition notice will provide you with further information about the appeal procedure and deadline.

---

**SURVIVING SPOUSES  
& MINOR CHILDREN  
PROPERTY TAX EXEMPTIONS**



# TAXPAYER'S GUIDE TO LOCAL PROPERTY TAX EXEMPTIONS

## SENIORS SURVIVING SPOUSES MINOR CHILDREN (OF DECEASED PARENT) Clauses 17, 17C, 17C½, 17D

The Department of Revenue (DOR) has created this fact sheet to provide general information about local property tax exemptions for seniors, surviving spouses and minor children of a deceased parent. **It is not designed to address all questions or issues and does not change any provision of the Massachusetts General Laws. To find out about the specific eligibility and application requirements in your city or town, you must contact your local board of assessors.** The DOR cannot determine your eligibility or give you legal advice. Property taxes are assessed and collected by cities and towns, not by the DOR. Under state law, only your board of assessors, as the local tax administrator, can decide whether you qualify for an exemption. If you disagree with its decision, you may appeal to the state Appellate Tax Board (or county commissioners if your county's government has not been abolished).

### INTRODUCTION

Cities and towns may give property tax exemptions to some individuals as defined by state law. An exemption discharges the taxpayer from the legal obligation to pay all or a portion of the tax assessed for the fiscal year. Exemptions are found in various clauses of Massachusetts General Laws Chapter 59, Section 5 (M.G.L. c. 59, § 5).

Clauses 17, 17C, 17C½ or 17D provide partial exemptions to (1) seniors, (2) surviving spouses, and (3) minor children with a deceased parent, who meet specific ownership, occupancy and asset requirements. Seniors 70 or older may, alternatively, qualify for an exemption under Clauses 41, 41B, 41C or 41C½, which provide a higher benefit, but have stricter eligibility requirements. Clause 17 is the basic exemption for the three categories of taxpayers. Over the years, as asset values rose, the Legislature enacted alternative exemptions (Clauses 17C, 17C½ and 17D), and options within those exemptions, that cities and towns may adopt.

Clause 17 applies unless the legislative body of your city or town has voted, subject to local charter, to accept another clause. The most recently accepted clause establishes the eligibility rules in your city or town.

EXEMPTION AMOUNT	
	<p>\$175</p> <p>The amount may be increased annually up to the percentage increase in the Consumer Price Index (CPI), as determined by the DOR each year. This increase applies only if the legislative body of your city or town has voted, subject to local charter, to accept this local option.</p>

For more information, please contact your local assessors.

<b>APPLICATIONS</b>	You must file an application for each fiscal year with the assessors in the city or town where your property is located. The application is due on April 1, or three months after the actual tax bills are mailed, whichever is later. <b><i>Filing on time is required. By law, the assessors may not waive this filing deadline, nor act on a late application, for any reason.</i></b> Filing an application does not entitle you to delay your tax payment.
<b>DOCUMENTATION</b>	You must provide the assessors with whatever information is reasonably required to establish eligibility. This information may include, but is not limited to: <ol style="list-style-type: none"> <li>1. Birth certificates.</li> <li>2. Evidence of ownership, domicile and occupancy.</li> <li>3. Bank and other asset account statements.</li> </ol>
<b>NUMBER OF EXEMPTIONS</b>	With limited exceptions, you may only receive one exemption under M.G.L. c. 59, § 5 for each fiscal year. If you qualify for more than one, you will receive the one that provides the greatest benefit. You may receive an exemption and if qualified, defer all or a part of the balance of the reduced tax.
<b>ELIGIBILITY REQUIREMENTS</b>	You must satisfy tests relating to age or status, domicile, ownership and assets. <b>You must meet <u>all</u> eligibility requirements as of July 1 of the tax year.</b> <i>(The fiscal year of cities and towns begins July 1 and ends the following June 30.)</i> <b>If you do not meet all requirements as of July 1, you <u>cannot</u> receive all or any portion of the exemption for that tax year.</b>
<b>AGE AND STATUS</b>	You must be 70 or older to be a senior. You must be younger than 18 to be a minor child. You must have been married to the decedent at the time of his or her death, <b>and</b> have never remarried, to be a surviving spouse.
<b>OWNERSHIP AND DOMICILE</b>	You must own and occupy the property as your domicile. Your domicile is where your principal and legal home is located, your family, social, civic and economic life is centered and you plan to return whenever you are away. You may have more than one residence, but only one domicile. If you are a senior, you must also have owned and occupied the property for any 10 years (Clauses 17, 17C or 17C½) or any 5 years (Clause 17D). <ol style="list-style-type: none"> <li>1. Your ownership interest must be worth at least \$2,000. You may own this interest solely, as a joint owner or as a tenant in common.</li> <li>2. If you hold a life estate in the domicile, you are the owner.</li> <li>3. If your domicile is held in a trust, you are the owner only if:             <ol style="list-style-type: none"> <li>a. You are a trustee or co-trustee of that trust, <b>and</b></li> <li>b. You have a sufficient beneficial interest in the domicile.</li> </ol> </li> </ol>

<b>ASSET LIMITS</b>	<p>Your assets (whole estate) on July 1 cannot exceed a specified limit. Each clause has a different limit.</p> <p><b>Whole estate means all assets to which you have legal title and access as sole, joint owner or trustee that contribute to your total worth.</b> The value of your cemetery plots, wearing apparel and household furniture and effects located in your domicile is not included in the calculation of your whole estate.</p> <p>In addition, depending on the clause, some of the value of your domicile and the unpaid mortgage balance is not included, but the part of your domicile over a certain number of units may be included.</p> <p>Your allowable whole estate can range from \$20,000 (Clause 17) to \$40,000 (Clauses 17C, 17C½ and 17D). It may increase annually by the percentage increase in the CPI determined by the DOR each year. This increase applies only if the legislative body of your city or town has voted, subject to local charter, to accept this local option.</p>
<b>EXEMPTION CREDIT</b>	<p>If the assessors decide you are eligible and grant an exemption, the amount granted is credited toward and reduces the tax outstanding on your domicile for the fiscal year. <b>You will not receive a refund unless you have already paid the entire year's tax, as reduced by the exemption, at the time the exemption is granted and applied.</b></p>
<b>SALE OF DOMICILE</b>	<p>If you are selling your domicile, you should make your attorney aware that you receive a property tax exemption that reduces the tax owed for the fiscal year. The sale is a private financial transaction and as a party, <b>you are responsible for seeing that the exemption is properly credited at the closing, through escrow or other arrangements, when the parties make adjustments for local property taxes or charges.</b> Your city or town is not responsible for seeing that you and the buyer allocate the property taxes so you get the benefit of the exemption.</p>

<b>APPEALS</b>	
<b>Appellate Tax Board</b>	<p>The Appellate Tax Board (ATB) is an independent, quasi-judicial state board that hears taxpayer appeals from local assessors' decisions on property tax abatements and exemptions. If county government has not been abolished, appeals may be made to the county commissioners instead, but assessors may and usually do transfer those appeals to the ATB. ATB decisions may be appealed to the Appeals Court and, ultimately, to the Supreme Judicial Court.</p> <p>You can obtain the ATB's <u>guide</u> to the property tax appeal process from its website (<a href="http://www.mass.gov/atb">www.mass.gov/atb</a>) or by calling 617-727-3100.</p>

<b>Appeal of Action of Assessors</b>	<p>You have three months from the date of the assessors' decision on your exemption application to appeal to the ATB. <b>This includes decisions to deny any exemption or to grant an exemption that provides a lesser benefit.</b> If the application was deemed denied, your appeal must be filed within three months of the deemed denied date. As a general rule, if the real estate tax on your domicile is over \$5,000, you must also have paid all preliminary and actual tax installments on time for the ATB to hear your appeal.</p> <p>The assessors may grant the exemption or higher exemption in final settlement of your application during the three month period for filing an appeal. In that case, you do not have to have filed an appeal with the ATB. However, if a settlement is not reached and an exemption not granted during that period, you must have filed your appeal by the deadline. If not, the ATB cannot hear the appeal.</p>
--------------------------------------	--

<b>ASSESSMENT AND EXEMPTION CALENDAR</b>	
<b>January 1</b>	Property Tax Assessment Date for Next Fiscal Year
<b>July 1</b>	Fiscal Year Begins Real Estate Exemption Eligibility Date for Fiscal Year
<b>October - December</b>	Actual Tax Bills Mailed for Fiscal Year
<b>November 1 (Semi-annual Payment Communities) February 1 (Quarterly Payment Communities)</b>	1 <sup>st</sup> Actual Tax Installment Payment Due <sup>1</sup>
<b>April 1, or 3 Calendar Months from Mailing of Actual Tax Bill if later</b>	Personal Exemption Applications to Assessors Due <sup>2</sup>

<sup>1</sup> Contact your assessors. The due date depends on the payment system used in your community and the date actual tax bills were mailed for fiscal year.

<sup>2</sup> Some assessors may accept applications before actual tax bills are mailed. If not, or your application is not approved, you must apply by this deadline to claim the exemption.

<b>3 Calendar Months from Filing of Application (or Date of Written Extension Given by Taxpayer)</b>	Assessors Grant or Deny Exemption Application Deemed Denied if Assessors Have Not Acted
<b>3 Calendar Months from Assessors' Action on Application, or Deemed Denial of Application</b>	Appeal to ATB Due

17	42&43
Assessors' Use only	
Date Received	
Application No.	
Parcel Id.	

\_\_\_\_\_  
Name of City or Town

**SURVIVING SPOUSE OR MINOR**  
**FISCAL YEAR \_\_\_\_\_ APPLICATION FOR STATUTORY EXEMPTION**  
**General Laws Chapter 59, § 5**

THIS APPLICATION IS NOT OPEN TO PUBLIC INSPECTION  
(See General Laws Chapter 59, § 60)

**Return to: Board of Assessors**

Must be filed with assessors on or before April 1, or  
3 months after actual (not preliminary) tax bills are  
mailed for fiscal year if later.

**INSTRUCTIONS:** Complete the following. Please print or type.

**A. IDENTIFICATION.** Complete this section fully.

Name of Applicant _____	
Telephone Number _____	Marital Status _____
Legal Residence (Domicile) on July 1, _____	Mailing Address (If different) _____
No. Street City/Town Zip Code	
Location of Property: _____	No. of Dwelling Units: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other _____
Did you own the property on July 1, _____? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, were you: Sole Owner <input type="checkbox"/> Co-owner with Spouse Only <input type="checkbox"/> Co-owner with Others <input type="checkbox"/>	
Was the property subject to a trust as of July 1, _____? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, please attach trust instrument including all schedules.	
Have you been granted any exemption in any other city or town (MA or other) for this year? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, name of city or town _____ Amount exempted \$ _____	

**DISPOSITION OF APPLICATION (ASSESSORS' USE ONLY)**

Ownership <input type="checkbox"/>	GRANTED <input type="checkbox"/>	Assessed Tax \$ _____
Occupancy <input type="checkbox"/>	DENIED <input type="checkbox"/>	Exempted Tax \$ _____
Status <input type="checkbox"/>	DEEMED DENIED <input type="checkbox"/>	Adjusted Tax \$ _____
Income <input type="checkbox"/>		
Assets <input type="checkbox"/>		
Board of Assessors		
Date Voted/Deemed Denied _____		
Certificate No. _____		
Date Cert./Notice Sent _____		
Exemption: Clause _____	Date: _____	

FILING THIS FORM DOES NOT STAY THE COLLECTION OF YOUR TAXES

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE



**B. EXEMPTION STATUS.** Complete the questions that follow.

<input type="checkbox"/> <b>SURVIVING SPOUSE</b>	Deceased Spouse's Name _____ Date of Death _____ Have you remarried? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, date of remarriage _____
<input type="checkbox"/> <b>MINOR WITH PARENT DECEASED</b>	Deceased Parent's Name _____ Date of Death _____
<i>If first year of application, attach a copy of death certificate.</i>	
Are you a surviving spouse or a minor child of a firefighter or a police officer killed in the line of duty? Yes <input type="checkbox"/> No <input type="checkbox"/>	
IF NO, GO ON TO SECTION C	
<i>If yes, and this is the first year of application, provide circumstances of death.</i>	
GO ON TO SECTION D	

**C. VALUE OF ALL PROPERTY OWNED ON JULY 1 THIS YEAR.** Complete this section. Documentation may be requested to verify your assets.

Real Estate	Assessed valuation	Amount due on mortgage	Value
Domicile	_____	_____	_____
Other	_____	_____	_____
<b>Personal Estate</b>	Bank accounts: Name & address of bank		Value
	_____		_____
	_____		_____
	_____		_____
	Stocks, bonds, securities, etc.: Description & amount		Value
	_____		_____
	_____		_____
	_____		_____
	Motor vehicles & trailers: Year/Make/Model		Value
	_____		_____
Other non-exempt personal property: Kind & description		Value	
_____		_____	
_____		_____	
TOTAL			_____
GO ON TO SECTION D			

**D. SIGNATURE.** Sign here to complete the application.

This application has been prepared or examined by me. Under the pains and penalties of perjury, I declare that to the best of my knowledge and belief, this return and all accompanying documents and statements are true, correct and complete.

Signature

Date

If signed by agent, attach copy of written authorization to sign on behalf of taxpayer.

---

## TAXPAYER INFORMATION ABOUT PERSONAL EXEMPTIONS

**PERSONAL EXEMPTIONS.** You may be eligible to reduce all or a portion of the taxes assessed on your domicile if you meet the qualifications for one of the personal exemptions allowed under Massachusetts law. Qualifications vary, but generally relate to age, ownership, residency, disability, income or assets.

You may be eligible for an exemption if you fall into any of these categories:

- Legally blind person
- Veteran with a service-connected disability
- Surviving spouse of a servicemember, national guard member or veteran who died from active duty injury or illness
- Surviving spouse
- Minor child of a deceased parent
- Senior citizen age 70 and older (65 and older by local option)

More detailed information about the qualifications for each exemption may be obtained from your board of assessors.

**WHO MAY FILE AN APPLICATION.** You may file an application if you meet all qualifications for a personal exemption as of July 1. You may also apply if you are the personal representative of the estate, or trustee under the will, of a person who qualified for a personal exemption on July 1.

**WHEN AND WHERE APPLICATION MUST BE FILED.** Your application must be filed with the assessors on or before April 1, or 3 months after the actual bills were mailed for the fiscal year, whichever is later. An application is filed when (1) received by the assessors on or before the filing deadline, or (2) mailed by United States mail, first class postage prepaid, to the proper address of the assessors, on or before the filing deadline, as shown by a postmark made by the United States Postal Service. **THIS DEADLINE CANNOT BE EXTENDED OR WAIVED BY THE ASSESSORS FOR ANY REASON. IF YOUR APPLICATION IS NOT TIMELY FILED, YOU LOSE ALL RIGHTS TO AN EXEMPTION AND THE ASSESSORS CANNOT BY LAW GRANT YOU ONE.**

**PAYMENT OF TAX.** Filing an application does not stay the collection of your taxes. In some cases, you must pay all preliminary and actual installments of the tax when due to appeal the assessors' disposition of your application. Failure to pay the tax when due may also subject you to interest charges and collection action. To avoid any loss of rights or additional charges, you should pay the tax as assessed. If an exemption is granted and you have already paid the entire year's tax as exempted, you will receive a refund of any overpayment.

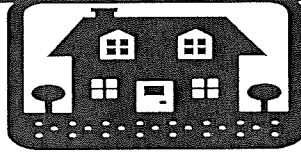
**ASSESSORS DISPOSITION.** Upon applying for an exemption, you may be required to provide the assessors with further information and supporting documentation to establish your eligibility. The assessors have 3 months from the date your application is filed to act on it unless you agree in writing before that period expires to extend it for a specific time. If the assessors do not act on your application within the original or extended period, it is deemed denied. You will be notified in writing whether an exemption has been granted or denied.

**APPEAL.** You may appeal the disposition of your application to the Appellate Tax Board, or if applicable, the County Commissioners. The appeal must be filed within 3 months of the date the assessors acted on your application, or the date your application was deemed denied, whichever is applicable. The disposition notice will provide you with further information about the appeal procedure and deadline.

---

**SENIORS, 65 & OLDER  
DEFERRALS**

July 2017



## ATTENTION FRANKLIN SENIOR HOMEOWNERS

*You may be entitled to a reduction in the real estate tax  
you're required to pay this year!*

You may be entitled to a **\$1,000** tax reduction if you have been continuously domiciled in Massachusetts for 10 years and have owned and occupied a Massachusetts property for 5 years; And

**You are single,**

- Age 70 or older on July 1, 2017,
- Your income last year was **\$19,543 or less**, and
- Your assets (checking, savings, bonds, etc.) **not** including your home were **\$32,321 or less.**      **-Or-**

**You are married,**

- One of you was age 70 or older on July 1, 2017,
- Your income last year was **\$24,120 or less**, and
- Your assets (checking, savings, bonds, etc.) **not** including your home were **\$34,629 or less.**

**If you are over an above limit**, you may still be entitled to a **\$313** tax reduction if you have owned and occupied your Franklin property as your domicile for at least 5 years, **And:**

Your assets (checking, savings, bonds, etc.) **not** including your home were **\$46,172 or less, And:**

**You are a surviving spouse; or single 70 or older July 1, 2017,**      **-Or-**

**You are married and one was age 70 or older as of July 1, 2017.**

*If you think you might qualify and need information or assistance in  
completing the application, call the Franklin Senior Center; 508 520-4945.*

*Some widows of veterans may be eligible for a tax exemption. Please contact*

**Veterans Service Officer Dale Kurtz at (508) 520-4973.**



# TAXPAYER'S GUIDE TO LOCAL PROPERTY TAX DEFERRALS

## SENIORS Clause 41A

The Department of Revenue (DOR) has created this fact sheet to provide general information about local property tax deferrals for seniors. **It is not designed to address all questions or issues and does not change any provision of the Massachusetts General Laws. To find out about the specific eligibility and application requirements in your city or town, you must contact your local board of assessors.** The DOR cannot determine your eligibility or give you legal advice. Property taxes are assessed and collected by cities and towns, not by the DOR. Under state law, only your board of assessors, as the local tax administrator, can decide whether you qualify for a deferral. If you disagree with its decision, you may appeal to the state Appellate Tax Board (or county commissioners if your county's government has not been abolished).

### INTRODUCTION

Cities and towns may give property tax exemptions to some individuals as defined by state law. An exemption discharges the taxpayer from the legal obligation to pay all or a part of the tax assessed for the fiscal year. Exemptions are found in various clauses of Massachusetts General Laws Chapter 59, Section 5 (M.G.L. c. 59, § 5).

Under Clause 41A, seniors may also be able to **delay payment** of their property taxes. A property tax deferral does not discharge the tax obligation like an exemption. Instead, it defers payment until the senior sells the property or passes away. A deferral allows seniors to use resources that would go to pay taxes to defray living expenses instead. Taxpayers who qualify for personal exemptions under other clauses in M.G.L. c. 59, § 5 (for example, for seniors, disabled veterans, blind persons or surviving spouses) may defer all or part of the balance of their reduced taxes.

If you qualify, you must enter into a written tax deferral and recovery agreement with the local assessors. The assessors will record a statement at the Registry of Deeds to continue the lien that exists on your property by law to secure payment of the deferred taxes. Joint owners, remaindermen and mortgagees must give prior written approval.

### APPLICATIONS

You must file an application for each fiscal year with the assessors in the city or town where your property is located. The application is due on April 1, or three months after the actual tax bills are mailed, whichever is later. ***Filing on time is required. By law, the assessors may not waive this filing deadline, nor act on a late application, for any reason.*** Filing an application does not entitle you to delay your tax payment.

For more information, please contact your local assessors.

<b>DOCUMENTATION</b>	<p>You must provide the assessors with whatever information is reasonably required to establish eligibility. This information may include, but is not limited to:</p> <ol style="list-style-type: none"> <li>1. Birth certificates.</li> <li>2. Evidence of ownership, domicile and occupancy.</li> <li>3. Income tax returns.</li> </ol>
<b>ELIGIBILITY REQUIREMENTS</b>	<p>You must satisfy tests relating to age, domicile, ownership, occupancy and annual income. <b>You must meet <u>all</u> eligibility requirements as of July 1 of the tax year.</b> (<i>The fiscal year of cities and towns begins July 1 and ends the following June 30.</i>) <b>If you do not meet all requirements as of July 1, you <u>cannot</u> defer all or any portion of your taxes for that tax year.</b></p>
<b>AGE</b>	You must be 65 or older.
<b>DOMICILE</b>	<p>You must have had a domicile in Massachusetts for at least 10 consecutive years before the tax year begins. You must also be domiciled in the property. Your domicile is where your principal and legal home is located, your family, social, civic and economic life is centered and you plan to return whenever you are away. You may have more than one residence, but only one domicile.</p>
<b>OWNERSHIP AND OCCUPANCY</b>	<p>You must have owned and occupied the property, or other real property in Massachusetts, as a domicile for at least 5 years. The years do not have to be consecutive or at the same location.</p> <ol style="list-style-type: none"> <li>1. You may own the property solely, as a joint owner or as a tenant in common.</li> <li>2. If you hold a life estate in the domicile, you are the owner.</li> <li>3. If your domicile is held in a trust, you are the owner only if: <ol style="list-style-type: none"> <li>a. You are a trustee or co-trustee of that trust, <b>and</b></li> <li>b. You have a sufficient beneficial interest in the domicile.</li> </ol> </li> </ol>
<b>INCOME LIMITS</b>	<p>Your income (gross receipts) for the previous calendar year cannot exceed \$20,000. If you are married, the combined gross receipts of you and your spouse cannot exceed \$20,000. The gross receipts limit may be increased up to the income limit allowed for the "circuit breaker" state income tax credit for single non-head of household filers, by vote of the legislative body of your city or town.</p> <p><b>Gross receipts means income from <u>all</u> sources and is broader than taxable income for federal or state income tax purposes.</b> Ordinary business expenses and losses are deducted but not personal or family expenses.</p>

<b>DEFERRAL AMOUNT</b>	<p>You may defer payment of all or a part of the taxes owed each year so long as (1) you continue to qualify, <u>and</u> (2) the cumulative deferred taxes and accrued interest are not more than 50% of your proportional ownership share of the fair cash value of the property. For example, if you are a joint owner with one other person, the total amount deferred cannot be more than 25% of the property's value.</p> <p>If you own the property with someone who is not your spouse, the amount you may defer annually is also limited to your proportional ownership share of the year's tax.</p> <p>Interest on deferred taxes accrues at 8%, or a lower rate voted by the legislative body of your city or town before July 1 of the tax year.</p>
<b>SURVIVING SPOUSE</b>	<p>Your surviving spouse who qualifies may continue to defer taxes but must enter into a new deferral and recovery agreement. Surviving spouses who inherit a property must have occupied it, or other real property in Massachusetts, as a domicile for at least 5 years. Any additional taxes plus interest deferred by your surviving spouse, plus the amounts previously deferred and unpaid, cannot be more than 50% of the spouse's proportional ownership share of the fair cash value of the property.</p>
<b>PAYMENT</b>	<p>The payment of deferred taxes and accrued interest <b>is due when the property is sold or you pass away</b>, unless your surviving spouse continues to defer. As of that date, the interest rate goes up to 16%. If 6 months later, the deferred amount has not been paid, the treasurer may petition the Land Court to foreclose the lien on the property.</p>

<b>APPEALS</b>	
<b>Appellate Tax Board</b>	<p>The Appellate Tax Board (ATB) is an independent, quasi-judicial state board that hears taxpayer appeals from local assessors' decisions on property tax abatements and exemptions. If county government has not been abolished, appeals may be made to the county commissioners instead, but assessors may and usually do transfer those appeals to the ATB. ATB decisions may be appealed to the Appeals Court and, ultimately, to the Supreme Judicial Court.</p> <p>You can obtain the ATB's <u>guide</u> to the property tax appeal process from its website (<a href="http://www.mass.gov/atb">www.mass.gov/atb</a>) or by calling 617-727-3100.</p>

<b>Appeal of Action of Assessors</b>	<p>You have three months from the date of the assessors' decision on your deferral application to appeal to the ATB. <b>This includes decisions to deny a deferral or to grant a deferral of a lesser benefit.</b> If the application was deemed denied, your appeal must be filed within three months of the deemed denied date. As a general rule, if the real estate tax on your domicile is over \$5,000, you must also have paid all preliminary and actual tax installments on time for the ATB to hear your appeal.</p> <p>The assessors may grant the deferral or higher deferral in final settlement of your application during the three month period for filing an appeal. In that case, you do not have to have filed an appeal with the ATB. However, if a settlement is not reached and a deferral not granted during that period, you must have filed your appeal by the deadline. If not, the ATB cannot hear the appeal.</p>
--------------------------------------	---

<b>ASSESSMENT AND DEFERRAL CALENDAR</b>	
<b>January 1</b>	Property Tax Assessment and Lien Date for Next Fiscal Year
<b>July 1</b>	Fiscal Year Begins Real Estate Deferral Eligibility Date for Fiscal Year
<b>October - December</b>	Actual Tax Bills Mailed for Fiscal Year
<b>November 1 (Semi-annual Payment Communities)</b> <b>February 1 (Quarterly Payment Communities)</b>	1 <sup>st</sup> Actual Tax Installment Payment Due <sup>1</sup>
<b>April 1, or 3 Calendar Months from Mailing of Actual Tax Bill if later</b>	Deferral Applications to Assessors Due <sup>2</sup>

<sup>1</sup> Contact your assessors. The due date depends on the payment system used in your community and the date actual tax bills were mailed for fiscal year.

<sup>2</sup> Some assessors may accept applications before actual tax bills are mailed. If not, or your application is not approved, you must apply by this deadline to claim the deferral.



<b>3 Calendar Months from Filing of Application (or Date of Written Extension Given by Taxpayer)</b>	Assessors Grant or Deny Deferral Application Deemed Denied if Assessors Have Not Acted
<b>3 Calendar Months from Assessors' Action on Application, or Deemed Denial of Application</b>	Appeal to ATB Due

The Commonwealth of Massachusetts

Assessors' Use only

Date Received  
Application No.  
Parcel Id.

Name of City or Town

**SENIORS 65 AND OLDER**  
**FISCAL YEAR \_\_\_\_\_ APPLICATION FOR PROPERTY TAX DEFERRAL**  
**General Laws Chapter 59, § 5, CLAUSE 41A**

THIS APPLICATION IS NOT OPEN TO PUBLIC INSPECTION  
(See General Laws Chapter 59, § 60)

**Return to: Board of Assessors**

Must be filed with assessors on or before April 1, or 3 months  
after actual (not preliminary) tax bills are mailed for fiscal year  
if later. Tax Deferral and Recovery Agreement  
(Form 97-1) must accompany application unless already on  
file and persons with interest in property remain the same.

**INSTRUCTIONS:** Complete all sections fully. Please print or type.

**A. IDENTIFICATION.**

Name of Applicant: _____		Marital Status: _____	
Telephone Number _____		Date of birth _____ <i>If first year of application, attach copy of birth certificate.</i>	
Legal residence (domicile) on July 1, _____		Mailing address (if different) _____	
No. _____	Street _____	City/Town _____	Zip Code _____
Location of property: _____		No. of dwelling units: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other _____	
Did you own the property on July 1, _____ and for the prior 10 years? Yes <input type="checkbox"/> No <input type="checkbox"/>			
<i>If no, list the other properties you owned and/or occupied during the past 10 years.</i>			
Address _____		Dates _____	Owned <input type="checkbox"/> Occupied <input type="checkbox"/>
_____		_____	<input type="checkbox"/> <input type="checkbox"/>
<i>Continue list on attachment in same format as necessary.</i>			
Have you been granted any exemption in any other city or town (MA or other) for this year? Yes <input type="checkbox"/> No <input type="checkbox"/>			
<i>If yes, name of city or town</i> _____		<i>Amount exempted \$</i> _____	
Amount of tax you are seeking to defer this year \$ _____			

**DISPOSITION OF APPLICATION (ASSESSORS' USE ONLY)**

Ownership <input type="checkbox"/>	GRANTED <input type="checkbox"/>	Assessed Tax \$ _____
Occupancy <input type="checkbox"/>	DENIED <input type="checkbox"/>	Deferred Tax \$ _____
Age <input type="checkbox"/>	DEEMED DENIED <input type="checkbox"/>	Adjusted Tax \$ _____
Income <input type="checkbox"/>		Board of Assessors
Date Voted/Deemed Denied _____		
Certificate No. _____		
Date Cert./Notice Sent _____		
Date: _____		

FILING THIS FORM DOES NOT STAY THE COLLECTION OF YOUR TAXES

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

**B. PERSONS WITH INTEREST IN PROPERTY.**

Did you own the property on July 1, \_\_\_\_\_ as  
Sole owner ☐ Co-owner with spouse only ☐ Co-owner with others? ☐

Was there a mortgage on the property as of July 1, \_\_\_\_\_? Yes ☐ No ☐  
If yes, amount due on mortgage \$ \_\_\_\_\_ Name of mortgagee(s) \_\_\_\_\_

Was the property subject to a life estate as of July 1, \_\_\_\_\_? Yes ☐ No ☐  
If yes, name(s) of Remaindermen (person(s) receiving property after your death) \_\_\_\_\_

Was the property subject to a trust as of July 1, \_\_\_\_\_ Yes ☐ No ☐  
If yes, please attach trust instrument including all schedules.

**C. GROSS RECEIPTS FROM ALL SOURCES IN PRECEDING CALENDAR YEAR.** Copies of your federal and state income tax returns, and other documentation, may be requested to verify your income.

	Applicant & Spouse
Retirement Benefits (Social Security, Railroad, Federal, MA & Political Subdivisions).....	
Other Pensions and Retirement Allowances .....	
Wages, Salaries and other Compensation.....	
Net Profits from Business, Profession or Property Rental .....	
Interest and Dividends .....	
Other Receipts (Capital Gains, Public Assistance, etc.).....	
TOTALS	

**D. SIGNATURE.** Sign here to complete the application.

This application has been prepared or examined by me. Under the pains and penalties of perjury, I declare that to the best of my knowledge and belief, this return and all accompanying documents and statements are true, correct and complete.

Signature

Date

If signed by agent, attach copy of written authorization to sign on behalf of taxpayer.

## TAXPAYER INFORMATION ABOUT PROPERTY TAX DEFERRAL

**SENIOR DEFERRAL.** You may be eligible to defer payment of all or a portion of the taxes assessed on property you own and occupy as your domicile if you meet certain age, ownership, residency and income qualifications, and enter into a tax deferral agreement with the board of assessors. If you also qualify for a personal exemption, you may defer all or a portion of the remaining taxes on the property.

**WHO MAY FILE AN APPLICATION.** You may file an application if as of July 1 you:

- Are 65 or older,
- Owned and occupied the property as your domicile,
- Owned and occupied any property in Massachusetts as your domicile for at least 5 years,
- Lived in Massachusetts for at least the prior 10 years, and
- Have an annual income not more than \$20,000 or a locally adopted income limit. Locally adopted income limits cannot be more than the income limit that applies under the "circuit breaker" state tax credit for single seniors who are not heads of households. Your board of assessors can tell you the limit that applies in your community.

**REPAYMENT.** Unlike an exemption, a tax deferral simply allows you to postpone payment of your taxes. If you qualify, you must enter into a tax deferral agreement that requires the deferred taxes along with interest to be paid in full (1) when the property is sold or transferred, (2) upon your death, or (3) upon the death of your surviving spouse if he or she qualifies for a deferral and enters into a new tax deferral agreement. Anyone having any legal interest in the property must also approve the tax deferral agreements.

Once you have entered into a tax deferral agreement, the assessors will record a statement at the Registry of Deeds. That statement continues the lien that already exists on your property by law to ensure the payment and collection of your taxes. Once the deferred taxes are repaid, the lien is released. However, if the deferred taxes are not repaid when due, your city or town will then be able to recover the amount by foreclosing on the lien in Land Court.

**INTEREST.** If you qualify for a deferral in subsequent years, you may defer taxes until the amount due, including accrued interest, equals 50% of your share of the full and fair cash value of the property. Interest at an annual rate of 8%, or a locally adopted lower rate, is charged on deferred taxes until the property is sold, your death, or the death of your surviving spouse if a new agreement has been entered into. Your board of assessors can tell you the rate that applies to the taxes deferred for each fiscal year. After the property is sold or your death, the annual interest rate increases to 16% until the deferred taxes are repaid.

**WHEN AND WHERE APPLICATION MUST BE FILED.** Your application must be filed with the assessors on or before April 1, or 3 months after the actual bills were mailed for the fiscal year, whichever is later. An application is filed when (1) received by the assessors on or before the filing deadline, or (2) mailed by United States mail, first class postage prepaid, to the proper address of the assessors, on or before the filing deadline, as shown by a postmark made by the United States Postal Service. **THIS DEADLINE CANNOT BE EXTENDED OR WAIVED BY THE ASSESSORS FOR ANY REASON. IF YOUR APPLICATION IS NOT TIMELY FILED, YOU LOSE ALL RIGHTS TO AN EXEMPTION AND THE ASSESSORS CANNOT BY LAW GRANT YOU ONE.**

**PAYMENT OF TAX.** Filing an application does not stay the collection of your taxes. In some cases, you must pay all preliminary and actual installments of the tax when due to appeal the assessors' disposition of your application. Failure to pay the tax when due may also subject you to interest charges and collection action. To avoid any loss of rights or additional charges, you should pay the tax as assessed. If a deferral is granted and you have already paid the entire year's tax as deferred, you will receive a refund of any overpayment.

**ASSESSORS DISPOSITION.** Upon applying for a deferral, you may be required to provide the assessors with further information and supporting documentation to establish your eligibility. The assessors have 3 months from the date your application is filed to act on it unless you agree in writing before that period expires to extend it for a specific time. If the assessors do not act on your application within the original or extended period, it is deemed denied. You will be notified in writing whether a deferral has been granted or denied.

**APPEAL.** You may appeal the disposition of your application to the Appellate Tax Board, or if applicable, the County Commissioners. The appeal must be filed within 3 months of the date the assessors acted on your application, or the date your application was deemed denied, whichever is applicable. The disposition notice will provide you with further information about the appeal procedure and deadline.

---

THE COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_  
Name of city or town

**Tax Deferral and Recovery Agreement**

This Agreement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
by and between the Board of Assessors (the "Assessors") of the City/Town of \_\_\_\_\_  
acting on behalf of the city/town and \_\_\_\_\_ (the "Owner").

WITNESSETH

WHEREAS, General Laws Chapter 59, Section 5, Clause 41A allows qualifying property owners to defer payment of local property taxes if they enter into a tax deferral and recovery agreement with the Board of Assessors acting on behalf of the city or town; and

WHEREAS, the Owner seeks to defer payment of local property taxes on the real property described below beginning in fiscal year \_\_\_\_\_:

DESCRIPTION OF PROPERTY

(The description must be sufficiently accurate to identify the property. In the case of registered land, the certificate of the title number and the registry volume and page must be given.)

NOW THEREFORE, in consideration of the granting of a property tax deferral by the Assessors, the Assessors and the Owner agree as follows:

1. The Owner will not sell or transfer the property described above unless all taxes deferred have been paid together with interest at the rate set forth in General Laws Chapter 59, Section 5, Clause 41A, or a lesser rate adopted locally in accordance with General Laws Chapter 59, Section 5, Clause 41A or applicable special act.
2. The total amount of the deferred taxes, plus interest, will at no time be more than fifty percent of the Owner's proportionate share of the full and fair cash value of the property.
3. Upon the Owner's death, the heirs-at-law, assignees or devisees will have first priority to the property by paying in full the total amount of deferred taxes, plus interest, unless the heir-at-law, assignee or devisee is a surviving spouse who qualifies for a deferral and enters into a new tax deferral and recovery agreement under General Laws Chapter 59, Section 5, Clause 41A. If so, the deferred taxes and interest due will be added to any additional taxes that are deferred under the new agreement signed by the surviving spouse. The total amount of deferred taxes, plus interest, subject to the fifty percent limitation in Paragraph 2 will include all taxes deferred, plus interest, under both this agreement and the new agreement signed by the surviving spouse.
4. The Assessors will record a statement at the Registry of Deeds making the deferred taxes, plus interest, a lien on the property. The amount of the recording fee, if any, will be added to and become part of the deferred taxes. If the deferred taxes, plus interest, are not paid as provided in this agreement, the interest rate set forth in General Laws Chapter 60, Section 62 will apply from the date the property was sold or the Owner died, whichever is applicable, and recovery of the amount owed will be enforced as provided by law.
5. Every other person with any legal interest in the property has given written approval for this agreement. That approval is attached as Schedule A, which is made a part of this agreement.

IN WITNESS WHEREOF, the Owner and Assessors have signed this agreement on the date first written above.

Witness

Owner

Owner

Owner

Board of Assessors of

### SCHEDULE A APPROVAL

Date

The following persons having a legal interest in the property described above hereby approve the execution of this tax deferral and recovery agreement.

Witness

Person

The Commonwealth of Massachusetts

ss.

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_ (Owners) \_\_\_\_\_ (Approvers), and \_\_\_\_\_ as Board of Assessors for the city/town of \_\_\_\_\_, proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the persons whose names are signed on the preceding document in my presence, and acknowledged to me that they signed it voluntarily for its stated purpose.

Notary Public

My commission expires \_\_\_\_\_

This instrument must be filed for record or registration

THE COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_  
Name of city or town  
Office of the Board of Assessors

**Statement of Entry into Tax Deferral and Recovery Agreement**

The Board of Assessors in the city/town of \_\_\_\_\_ hereby states that on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, it entered into a Tax Deferral and Recovery Agreement with \_\_\_\_\_ owners of the real property described below to defer taxes on that property beginning in fiscal year \_\_\_\_\_.

**DESCRIPTION OF PROPERTY**

(The description must be sufficiently accurate to identify the property. In the case of registered land, the certificate of the title number and the registry volume and page must be given.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This statement made on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ constitutes a lien upon the property covered by that agreement as provided in General Laws Chapter 59, Section 5, Clause ☐ 18A ☐ 41A.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Board of Assessors

The Commonwealth of Massachusetts

\_\_\_\_\_ ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_, as Board of Assessors for the city/town of \_\_\_\_\_, proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the persons whose names are signed on the preceding document in my presence, and acknowledged to me that they signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

**FINANCIAL HARDSHIP  
DEFERRALS**



Date Received  
Application No.  
Parcel Id.

Name of City or Town

**FINANCIAL HARDSHIP**  
**FISCAL YEAR \_\_\_\_\_ APPLICATION FOR PROPERTY TAX DEFERRAL**  
**General Laws Chapter 59, § 5, CLAUSE 18A**

THIS APPLICATION IS NOT OPEN TO PUBLIC INSPECTION.  
(See General Laws Chapter 59, § 60)

**Return to: Board of Assessors**

Must be filed with assessors on or before April 1, or 3 months after actual (not preliminary) tax bills are mailed for fiscal year if later. Tax Deferral and Recovery Agreement (Form 99-1) must accompany application unless already on file and persons with interest in property remain the same.

**INSTRUCTIONS:** Complete all sections that apply. Please print or type.

**A. IDENTIFICATION.** Complete this section fully.

Name of Applicant _____			Occupation _____		
Telephone Number _____			Marital Status _____		
Legal Residence (Domicile) on July 1, _____			Mailing Address (if different) _____		
No. _____	Street _____	City/Town _____	Zip Code _____		
Location of Property: _____				No. of Dwelling Units: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> Other _____	
Did you occupy the property on July 1, _____ and for the prior 10 years? Yes <input type="checkbox"/> No <input type="checkbox"/>					
If no, list the other properties you occupied during the past 10 years.					
Address _____			Dates _____		
_____			_____		
_____			_____		
Continue list on attachment in same format as necessary.					
Have you been granted any exemption in any other city or town (MA or other) for this year? Yes <input type="checkbox"/> No <input type="checkbox"/>					
If yes, name of city or town _____				Amount exempted \$ _____	

**DISPOSITION OF APPLICATION (ASSESSORS' USE ONLY)**

Ownership <input type="checkbox"/>	GRANTED <input type="checkbox"/>	Assessed tax \$ _____
Occupancy <input type="checkbox"/>	DENIED <input type="checkbox"/>	Deferred tax \$ _____
Status <input type="checkbox"/>	DEEMED DENIED <input type="checkbox"/>	Adjusted tax \$ _____
Financial condition <input type="checkbox"/>	Board of Assessors	
Date voted/Deemed denied _____	_____	
Certificate No. _____	_____	
Date Cert./Notice sent _____	_____	
Date: _____		

FILING THIS FORM DOES NOT STAY THE COLLECTION OF YOUR TAXES

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

**B. PERSONS WITH INTEREST IN PROPERTY.**

Did you own the property on July 1, \_\_\_\_\_ as

Sole owner ☐ Co-owner with spouse only ☐ Co-owner with others? ☐

Was there a mortgage on the property as of July 1, \_\_\_\_\_? ☐ Yes ☐ No

If yes, name of mortgagee(s) \_\_\_\_\_

Was the property subject to a life estate as of July 1, \_\_\_\_\_? ☐ Yes ☐ No

If yes, name(s) of Remaindermen (person(s) receiving property after your death) \_\_\_\_\_

Was the property subject to a trust as of July 1, \_\_\_\_\_? ☐ Yes ☐ No

If yes, please attach trust instrument including all schedules.

**C. REASON FOR HARDSHIP.** Check the reason that applies and provide requested information.

☐ **ACTIVATED MILITARY PERSONNEL**

☐ Initially enlisted in the armed forces.

☐ Military status changed to active duty.

Date of activation to active duty. \_\_\_\_\_ Attach copy of orders.

☐ **UNEMPLOYMENT**

Provide employment history over the last two years, including employer(s), dates, salaries, reasons for leaving.

\_\_\_\_\_  
\_\_\_\_\_

☐ **ILLNESS OR DISABILITY**

Provide a detailed description of the physical or mental illness, disability or impairment.

\_\_\_\_\_  
\_\_\_\_\_

Attach a physician's letter documenting the illness or disability.

☐ **OTHER**

Provide a detailed explanation.

\_\_\_\_\_  
\_\_\_\_\_

**D. FAMILY ASSISTANCE.** Complete this section if you are receiving any financial assistance from family members.

Name	Relationship	Residence	Occupation	Wages	Assistance given
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Continue list on attachment in same format as necessary.

**E. FINANCIAL STATEMENT.** Complete this section fully. Copies of your federal and state tax returns and other documentation may be requested to verify your income and assets.

ASSETS		LIABILITIES	
<b>REAL ESTATE</b>			
Domicile value	\$ _____	Mortgage outstanding balance	\$ _____
Other value	_____		
<b>PERSONAL ESTATE</b>			
Motor vehicle values (year/make/model)	_____	Car loan balances	_____
	_____		
Bank account balances (Bank name & address)	_____		
	_____		
	_____		
Other (specify)	_____	Other outstanding debts (personal loans, credit cards, etc.)	_____
	_____		
<b>TOTAL</b>	<b>\$ _____</b>	<b>TOTAL</b>	<b>\$ _____</b>
<b>INCOME</b>	Monthly	<b>EXPENSES</b>	Monthly
Wages & salaries -Annual \$ _____	\$ _____	Mortgage payments (including taxes) .....	\$ _____
Unemployment compensation .....	_____	Food .....	_____
Social Security .....	_____	Utilities:	
Other pension/retirement .....	_____	Electricity .....	_____
Public assistance:		Gas .....	_____
AFDC .....	_____	Heating fuel .....	_____
Food stamps .....	_____	Telephone .....	_____
Fuel assistance .....	_____	Water/sewer .....	_____
Other .....	_____	Debt payments:	
Rental income .....	_____	Car loans .....	_____
Business/professional profits .....	_____	Credit cards .....	_____
Interest/dividends .....	_____	Personal loans .....	_____
Other (specify)	_____	Fixed expenses:	
_____	_____	Car insurance .....	_____
_____	_____	House insurance .....	_____
		Other (specify)	_____
		_____	_____
<b>TOTAL</b>	<b>\$ _____</b>	<b>TOTAL</b>	<b>\$ _____</b>

---

**F. SIGNATURE.** Sign here to complete the application.

This application has been prepared or examined by me. Under the pains and penalties of perjury, I declare that to the best of my knowledge and belief, this return and all accompanying documents and statements are true, correct and complete.

---

Signature

Date

If signed by agent, attach copy of written authorization to sign on behalf of taxpayer.

---

**TAXPAYER INFORMATION ABOUT FINANCIAL HARDSHIP PROPERTY TAX DEFERRAL**

**FINANCIAL HARDSHIP DEFERRAL.** You may be able to defer all or a portion of the taxes assessed on your domicile if you do not have the financial resources to pay them because of a change to active military service (not including initial enlistment), unemployment, illness or other type of temporary hardship. Qualifications are established locally by the board of assessors. More detailed information may be obtained from your assessors.

**WHO MAY FILE AN APPLICATION.** You may file an application if you owned and occupied the property as of July 1, lived in Massachusetts for at least the previous 10 years and meet all qualifications for a financial hardship deferral.

**REPAYMENT.** Unlike an exemption, a tax deferral simply allows you to postpone payment of your taxes. If you qualify, you must enter into a tax deferral agreement that may cover a maximum period of three consecutive fiscal years. At the end of the deferral, the deferred taxes must be paid, along with interest. You may pay the deferred taxes in five annual installments, with each installment equal to one-fifth the total deferred taxes, plus interest on the unpaid balance. The first installment is due two years after the last year of the deferral.

Once you have entered into a tax deferral agreement, the assessors will record a statement at the Registry of Deeds. That statement continues the lien that already exists on your property by law to ensure the payment and collection of your taxes. Once the deferred taxes are repaid, the lien is released. However, if the deferred taxes are not paid, your city or town will be able to recover the amount by foreclosing on the lien in Land Court.

**INTEREST.** You may also apply for a hardship deferral in either or both of the next two years. If you qualify, you may defer taxes so long as the amount due, including accrued interest, does not exceed 50% of your share of the full and fair cash value of the property. Interest at an annual rate of 8% per annum is charged on deferred taxes until the property is sold, your death, or the death of your surviving spouse if a new agreement has been entered into. The interest rate then increases to 16% per annum until the deferred taxes are paid.

**WHEN AND WHERE APPLICATION MUST BE FILED.** Your application must be filed with the assessors on or before April 1, or 3 months after the actual bills were mailed for the fiscal year, whichever is later. **THIS DEADLINE CANNOT BE EXTENDED OR WAIVED BY THE ASSESSORS FOR ANY REASON. IF YOUR APPLICATION IS NOT TIMELY FILED, YOU LOSE ALL RIGHTS TO A DEFERRAL AND THE ASSESSORS CANNOT BY LAW GRANT YOU ONE. AN APPLICATION IS FILED WHEN RECEIVED BY THE ASSESSORS.**

**PAYMENT OF TAX.** Filing an application does not stay the collection of your taxes. Failure to pay the tax when due may also subject you to interest charges and collection action. To avoid any additional charges, you should pay the tax as assessed if possible. If a deferral is granted and you have already paid the entire year's tax as deferred, you will receive a refund of any overpayment. If you are unable to make your payments, inform the assessors when you file your application.

**ASSESSORS DISPOSITION.** Upon applying for a financial hardship deferral, you may be required to provide the assessors with further information and supporting documentation to establish your eligibility. The assessors have 3 months from the date your application is filed to act on it unless you agree in writing before that period expires to extend it for a specific time. If the assessors do not act on your application within the original or extended period, it is deemed denied. You will be notified in writing whether a deferral has been granted or denied.

**APPEAL.** In order to obtain a review of the assessors' decision on your application for a financial hardship deferral, you must bring a civil action in the Superior Court or Supreme Judicial Court. This action must be brought within 60 days of the decision.

---

This instrument must be filed for record or registration

THE COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_  
Name of city or town  
Office of the Board of Assessors

**Statement of Entry into Tax Deferral and Recovery Agreement**

The Board of Assessors in the city/town of \_\_\_\_\_ hereby states that on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, it entered into a Tax Deferral and Recovery Agreement with \_\_\_\_\_ owners of the real property described below to defer taxes on that property beginning in fiscal year \_\_\_\_\_.

**DESCRIPTION OF PROPERTY**

(The description must be sufficiently accurate to identify the property. In the case of registered land, the certificate of the title number and the registry volume and page must be given.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This statement made on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ constitutes a lien upon the property covered by that agreement as provided in General Laws Chapter 59, Section 5, Clause ☐ 18A ☐ 41A.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Board of Assessors

The Commonwealth of Massachusetts

\_\_\_\_\_ ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_, as Board of Assessors for the city/town of \_\_\_\_\_, proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the persons whose names are signed on the preceding document in my presence, and acknowledged to me that they signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

# **REAL ESTATE TAX ABATEMENTS**

Name of City or Town \_\_\_\_\_

Assessors' Use only
Date Received _____
Application No. _____

APPLICATION FOR ABATEMENT OF ☐ REAL PROPERTY TAX  
☐ PERSONAL PROPERTY TAX

FISCAL YEAR \_\_\_\_\_  
General Laws Chapter 59, § 59

THIS APPLICATION IS NOT OPEN TO PUBLIC INSPECTION (See General Laws Chapter 59, § 60)

Return to: Board of Assessors

Must be filed with assessors not later than due  
date of first actual (not preliminary) tax payment  
for fiscal year.

**INSTRUCTIONS:** Complete **BOTH** sides of application. Please print or type.

**A. TAXPAYER INFORMATION.**

Name(s) of assessed owner: _____			
Name(s) and status of applicant (if other than assessed owner) _____			
<input type="checkbox"/>	Subsequent owner (acquired title after January 1) on _____	<input type="checkbox"/>	Mortgagee.
<input type="checkbox"/>	Administrator/executor.	<input type="checkbox"/>	Other. Specify.
<input type="checkbox"/>	Lessee.		
Mailing address _____		Telephone No. (      ) _____	
No.	Street	City/Town	Zip Code
Amounts and dates of tax payments _____			

**B. PROPERTY IDENTIFICATION.** Complete using information as it appears on tax bill.

Tax bill no. _____	Assessed valuation \$ _____
Location _____	
No. Street _____	
Description _____	
Real: _____	Parcel ID no. (map-block-lot) _____
Personal: _____	Property type(s) _____
Land area _____	Class _____

**C. REASON(S) ABATEMENT SOUGHT.** Check reason(s) an abatement is warranted and briefly explain why it applies.  
Continue explanation on attachment if necessary.

<input type="checkbox"/>	Overvaluation	<input type="checkbox"/>	Incorrect usage classification
<input type="checkbox"/>	Disproportionate assessment	<input type="checkbox"/>	Other. Specify.
Applicant's opinion of: Value \$ _____		Class _____	
Explanation _____			
_____			
_____			
_____			
_____			
_____			

FILING THIS FORM DOES NOT STAY THE COLLECTION OF YOUR TAXES. TO AVOID LOSS OF APPEAL RIGHTS OR  
ADDITION OF INTEREST AND OTHER COLLECTION CHARGES, THE TAX SHOULD BE PAID AS ASSESSED.

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

#### D. SIGNATURES.

Subscribed this _____ day of _____, _____		Under penalties of perjury.
Signature of applicant _____		
If not an individual, signature of authorized officer _____		Title _____
( )		
(print or type) Name _____	Address _____	Telephone _____
If signed by agent, attach copy of written authorization to sign on behalf of taxpayer.		

#### TAXPAYER INFORMATION ABOUT ABATEMENT PROCEDURE

**REASONS FOR AN ABATEMENT.** An abatement is a reduction in the tax assessed on your property for the fiscal year. To dispute your valuation or assessment or to correct any other billing problem or error that caused your tax bill to be higher than it should be, you must apply for an abatement.

You may apply for an abatement if your property is: 1) overvalued (assessed value is more than fair cash value on January 1 for any reason, including clerical and data processing errors or assessment of property that is non-existent or not taxable to you), 2) disproportionately assessed in comparison with other properties, 3) classified incorrectly as residential, open space, commercial or industrial real property, or 4) partially or fully exempt.

**WHO MAY FILE AN APPLICATION.** You may file an application if you are:

- the assessed or subsequent (acquiring title after January 1) owner of the property,
- the personal representative of the assessed owner's estate or personal representative or trustee under the assessed owner's will,
- a tenant paying rent who is obligated to pay more than one-half of the tax,
- a person owning or having an interest or possession of the property, or
- a mortgagee if the assessed owner has not applied.

In some cases, you must pay all or a portion of the tax before you can file.

**WHEN AND WHERE APPLICATION MUST BE FILED.** Your application must be filed with the assessors on or before the date the first installment payment of the actual tax bill mailed for the fiscal year is due, unless you are a mortgagee. If so, your application must be filed during the last 10 days of the abatement application period. Actual tax bills are those issued after the tax rate is set. Applications filed for omitted, revised or reassessed taxes must be filed within 3 months of the date the bill for those taxes was mailed. **THESE DEADLINES CANNOT BE EXTENDED OR WAIVED BY THE ASSESSORS FOR ANY REASON. IF YOUR APPLICATION IS NOT TIMELY FILED, YOU LOSE ALL RIGHTS TO AN ABATEMENT AND THE ASSESSORS CANNOT BY LAW GRANT YOU ONE. TO BE TIMELY FILED, YOUR APPLICATION MUST BE (1) RECEIVED BY THE ASSESSORS ON OR BEFORE THE FILING DEADLINE OR (2) MAILED BY UNITED STATES MAIL, FIRST CLASS POSTAGE PREPAID, TO THE PROPER ADDRESS OF THE ASSESSORS ON OR BEFORE THE FILING DEADLINE AS SHOWN BY A POSTMARK MADE BY THE UNITED STATES POSTAL SERVICE.**

**PAYMENT OF TAX.** Filing an application does not stay the collection of your taxes. In some cases, you must pay all preliminary and actual installments of the tax when due to appeal the assessors' disposition of your application. Failure to pay the tax assessed when due may also subject you to interest charges and collection action. To avoid any loss of rights or additional charges, you should pay the tax as assessed. If an abatement is granted and you have already paid the entire year's tax as abated, you will receive a refund of any overpayment.

**ASSESSORS DISPOSITION.** Upon applying for an abatement, you may be asked to provide the assessors with written information about the property and permit them to inspect it. Failure to provide the information or permit an inspection within 30 days of the request may result in the loss of your appeal rights.

The assessors have 3 months from the date your application is filed to act on it unless you agree in writing before that period expires to extend it for a specific time. If the assessors do not act on your application within the original or extended period, it is deemed denied. You will be notified in writing whether an abatement has been granted or denied.

**APPEAL.** You may appeal the disposition of your application to the Appellate Tax Board, or if applicable, the County Commissioners. The appeal must be filed within 3 months of the date the assessors acted on your application, or the date your application was deemed denied, whichever is applicable. The disposition notice will provide you with further information about the appeal procedure and deadline.

#### DISPOSITION OF APPLICATION (ASSESSORS' USE ONLY)

Ch. 59, § 61A return	GRANTED <input type="checkbox"/>	Assessed value _____
Date sent _____	DENIED <input type="checkbox"/>	Abated value _____
Date returned _____	DEEMED DENIED <input type="checkbox"/>	Adjusted value _____
On-site inspection		Assessed tax _____
Date _____		Abated tax _____
By _____	Date voted/Deemed denied _____	Adjusted tax _____
	Certificate No. _____	
	Date Cert./Notice sent _____	Board of Assessors
Data changed _____	Appeal _____	
	Date filed _____	
Valuation _____	Decision _____	
	Settlement _____	Date: _____



**TOWN OF FRANKLIN**  
**PROPERTY TAX WORK OFF PROGRAM**

Town of Franklin  
Senior Property Tax Work Off Program Guidelines

**Program Summary:** The Senior Property Tax Work Off program provides a maximum reduction of up to \$1,000.00 per year in property tax relief to homeowners who are age 60 or older, for working in a town department, based on a rate per hour of service that cannot exceed the state's minimum wage (currently \$11.00 per hour). Taxpayers may receive abatements under the work-off program in addition to any property tax exemptions they may be eligible for under other statutes. They may also defer the balance of their taxes if they are eligible to do so. Participants must own and occupy the residential property for which real estate taxes are paid and abatement is being sought.

1. **Administration:** The program is administered through the Franklin Council on Aging and runs on the calendar year; with abatements being split between the February and May tax bills after the calendar year in which the work took place. All work must be completed by November 30 to allow the Assessor's Office time to process the abatements. ***The credit received for this work is tied to the parcel, not the individual. Therefore if a worker sells their property over the course of the year, arrangements should be made with the Buyer at closing to obtain payment for the abatements that will appear on the next year's tax bills.***
2. **Selection Process:** Participants for Franklin's Senior Citizen Tax Work Off program are selected on a first come, first served basis as there are a limited number of slots for the program. Applicants must meet the eligibility requirements for the program and have appropriate skills for the position. The program attempts to match participants with positions that match their skill sets, but this is not always possible. Participants must be able to perform the physical or mental tasks required for each job, i.e. bending and reaching to shelve books at the library, or manage computer programs to provide clerical support in the Assessor's Office. When all the job slots have filled, a waiting list will be kept in the event that any workers drop out of the program. If a participant is offered a position for which they are qualified and refuses it, the town is not obligated to offer another position.
3. **Municipal Employee and/or Board Member Disclosure:** Municipal employees may not work in the Tax Work Off program unless they are designated "Special Municipal Employees" which means they cannot work more than 800 hours per year and they cannot do their Tax Work Off hours in the Town Department where they are employed. They must also file a 20C Disclosure Form with the Town Clerks Office.
4. **Tax Withholding:** The amount of the property tax reduction the taxpayer receives ***is not*** considered income or wages for purposes of State income tax withholding, unemployment compensation or workmen's compensation. The abatement amount ***is*** included in the taxpayer's gross income for both federal income tax and Federal Insurance Contribution Act (FICA) tax purposes. Per federal law, the Town of Franklin is required to deduct Medicare tax as this program is considered a form of employment. Therefore, a deduction of 1.45% will be deducted from each credit for Medicare tax and 6.2% for FICA tax. The Town is required to have a W-4 form on file for each participant.
5. **Income Guidelines:** There are currently no income or asset limitations on eligibility.
6. **Placement & Timesheets:** Upon acceptance to the program, workers will receive a call from the Senior Center approving placement in a town department. Work should not commence until this call approving placement had been received. Prior to starting work, workers must pick up time sheets at the Senior Center. Only timesheets from the Senior Center may be submitted, or hours will not be credited. Workers are responsible for having their timesheets signed by their supervisor who will submit them to the Senior Center on a monthly basis. Workers should keep a copy of their timesheets for their records.
7. **To Apply:** Applications and a listing of available job placements can be obtained by contacting the Franklin Senior Center, 10 Daniel McCahill Street, Franklin, MA 02038, (508) 520-4945.



---

Commonwealth of Massachusetts

Department of Revenue

---

# Tax Tips for Seniors and Retirees

---

Deductions, Exemptions and 2016  
"Circuit Breaker" Tax Credit

# For Seniors and Retirees

In our continuing effort to make filing and paying taxes as easy as possible, the Department of Revenue (DOR) has created this "Tax Tips" fact sheet to assist you in completing your tax return and ensure that you take advantage of deductions and exemptions that are available. You may wish to consult with a tax professional for guidance on some of these items.

- As a result of the health care reform law, most Massachusetts residents age 18 and over are required to have health insurance, if it is affordable for them. In 2016, individuals must be enrolled in health insurance plans that meet "Minimum Creditable Coverage" (MCC) standards defined in regulations adopted by the Commonwealth Health Insurance Connector Authority. MCC is the minimum acceptable level of benefits that taxpayers need to be considered insured and avoid tax penalties in Massachusetts. If you had insurance in 2016, the Form MA 1099-HC issued to you by your insurer will tell you if your plan met these requirements. If you had insurance from a state or federal sponsored government insurance program, such as Medicare, MassHealth, Commonwealth Care and health insurance for U.S. Military, including Veterans Administration and Tri-Care, your plan met these requirements. Schedule HC, Health Care Information, must be completed by all full year and certain part-year residents.

More information about the health care reform law and how to purchase affordable health insurance is available at the Commonwealth Health Insurance Connector Authority's website at [www.mahealthconnector.org](http://www.mahealthconnector.org).

- If your total income is less than \$8,000 per year, you are not required to file a Massachusetts income tax return, unless you are claiming the Senior "Circuit Breaker" tax credit (see next page).

- If your Massachusetts Adjusted Gross Income (Massachusetts AGI) is \$8,000 or less if single, \$14,400 or less plus \$1,000 per dependent if head of household, or \$16,400 or less plus \$1,000 per dependent if married filing a joint return, you qualify for No Tax Status and are not required to pay any Massachusetts income taxes.

- If you do not qualify for No Tax Status, but you are single and your Massachusetts AGI is between \$8,000 and \$14,000, or if you are filing as head of household and your Massachusetts AGI is between \$14,400 and \$25,200 plus \$1,750 per dependent, or if you are married filing a joint return and your Massachusetts AGI is between \$16,400 and \$28,700 plus \$1,750 per dependent, you may qualify for the Limited Income Credit. This credit is an alternative tax calculation that can result in a significant tax reduction for people whose income exceeds the No Tax Status threshold.

- If you are age 65 or over before January 1, 2017, you are entitled to a \$700 exemption. This \$700 exemption is also available for your spouse if he or she is 65 or over before January 1, 2016. This exemption is in addition to your personal exemption of \$4,400 if single, \$6,800 if head of household and \$8,800 if married filing a joint return.

- Benefits paid under a life insurance contract for terminally or chronically ill insured individuals are excluded from Massachusetts gross income if they are excluded from federal gross income.

- Massachusetts has adopted the federal \$250,000 (\$500,000 for joint filers) exclusion of gain from the sale of a principal residence after December 31, 1997. The following is an example:

Your principal home in Boston was purchased in 1980 for \$100,000. In 2015, the home is sold for \$300,000, resulting in a gain of \$200,000. The gain is not subject to tax.

- Social Security payments received, as well as Veterans Administration disability compensation, are not taxable in Massachusetts.



Department of Revenue  
Commonwealth of Massachusetts

The purpose of this publication is to provide taxpayers with general information about Massachusetts tax laws and DOR policies and procedures as of December 31, 2016. Nothing contained within changes any provisions of Massachusetts General Laws or DOR policies.

- Income from most private pensions or annuity plans is taxable in Massachusetts. However, the following is a list of some specific pensions that are exempt:

Pension income received from a contributory annuity, pension, endowment or retirement fund of the U.S. Government or the Commonwealth of Massachusetts and its political subdivisions.

Pensions from other states or their political subdivisions that do not tax such income from Massachusetts or its political subdivisions may be eligible to be deducted from Massachusetts taxable income.

Beginning in 1997, noncontributory pension income or survivorship benefits received from the U.S. uniformed services (Army, Navy, Marine Corps, Air Force, Coast Guard, commissioned corps of the Public Health Service and National Oceanic and Atmospheric Administration) is exempt from taxation in Massachusetts.

However, if you retired under Chapter 32, sections 56–60 of Massachusetts General Laws and are a veteran who began state service prior to July 1, 1939, all or part of your pension income may be subject to tax.

- If you were an employee of the U.S. or Massachusetts or one of its political subdivisions and left public employment prior to retirement, you are not required to report as income the lump-sum distribution of your previous pension contributions.

- IRA or Keogh distributions are not taxable until all of your contributions that were previously subject to Massachusetts taxes are recovered.

- You may claim an exemption for medical and dental expenses paid during 2016 if you itemized these expenses on your U.S. Form 1040, Schedule A.

- If you are 65 or over before January 1, 2017, you may be eligible to claim a refundable Senior "Circuit Breaker" tax credit against your personal income taxes for the rent or real estate taxes you paid on your principal residence. The maximum credit allowed this year is \$1,070.

- Taxpayers over 60 may be eligible for a Senior Citizen Property Tax Work-Off Abatement. Under this program, taxpayers volunteer their services to their municipality in exchange for a reduction in their property tax bills — up to \$1,000 annually. Check with your city or town to see if they participate in this, or any related, program.

- In 2016, the maximum deduction for employment-related expenses for the care of a disabled dependent or a disabled spouse is \$4,800 for one qualifying individual and \$9,600 for two or more qualifying individuals.

- The dependent deduction for households with elderly or disabled dependents is \$3,600 for a single dependent and \$7,200 for two or more dependents.

- You may claim a maximum \$3,000 deduction for rent paid for a principal place of residence.

- Direct deposit of your refund check is available.

**For further information, please contact the Massachusetts Department of Revenue's Customer Service Bureau at (617) 887-6367 or toll-free in Massachusetts at 800-392-6089.**